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Impact of English Life & Language on Kashmiri Life & Language

—Alhaj Mirza G. H. Beg Arif

HOW universally true is the old Arabic saying, that the language of the ruler rules the language of the ruled and in doing so it changes the dominated people, in all spheres of life, out of recognition.

If perchance a noted Kashmiri were come to life again after a lapse of, say fifty years, he would find himself completely out of tune with his surroundings in the Budshah square. For him the change will be complete.

He will not see men with turbans on their heads, with beard on their faces, wearing pherans, trousers and shoes of local make. He would expect muslim women to be in veils and panditanies in long pherans and dupathas and small circular collar shaped head-gear.

He will find people running, as it is, in vehicles, and every thing in hot haste. The language spoken by the Kashmiris will also be partly foreign to him.

The past fifty years or so have brought about a revolution in almost all walks of life. It was mostly because of the domination of the British over Kashmir in paticular, and on the whole sub-continent, in general. The vehicle for all this transformation has been the English language.

How true has Macauly been in suggesting introduction of English as the medium of Education for complete subjugation of the people of India !

For Kashmir it meant change of one foreign language, persian for another language, the English, with consequent over-all change in life of the people itself.

In the beginning Kashmiries were reluctant to give up their old habits, and would not send their children to the schools. Maktabs run by Mullahs and patshalas by Pandits were preferred, but gradually the shape of things changed.

For Government service people qualified in English were preferred. English became the court language. Injections vaccination new medicines, surgery, hospitals, transport and other numerous new things started being looked upon as useful additions to the old life.

Gradually English started to replace persian. English teaching schools sprang up. Pandits and Muslims began slowly, and reluctantly sending their sons to new institutions. Names and words of Persian origin started melting and vanishing. Ustad or Akhun became (Mashtarji) masters ; the maktab, the 'School'; the jamaat, the 'Class'. The pheran was replaced by a coat and a waistcoat (Waskath); a Payjama by a Pant (Patloon) ; a joti by a boot, and Aukhun Sab Taqaza by Mashtarji pass.

These changes were not looked upon with favour by the elders. They resisted and protested. But onward march could not be halted. The 'farsi qalam' changed its place with holder, the 'Siyahi' with blue black and after a while a pen and Independent took over the place of holder and blue black ; both in one, mat of the maktab vanished and chair or Kursi appeared, chalk (Chakh) and black board, began to be used by the teacher. 'Sabaq' became lesson or lecture, 'garden' revision copy or note book replaced 'Takhti'. Slate also appeared for use for arithmatic or math, English was taught as a subject called 'Angrizi.' The Kashmiri scalp cap changed into a "Safa".

The school going boys began to change in dress and style so much so that it invoked curses from the old and satires from the poets. A bard makes a girl sing "Dahi baji boot suit chori baji khraw, bichur mo haw bichur mo haw, "O ! School going and office attending lads, do not allure me by your suit and a pair of boots during the office hours and Khraw (Kashmiri) after four." Youngsters would not clean shave their heads, they raised the hair and got it trimmed in English cut (Angrizi cut) or fashion. They used perfumed oils and combed their hair ; a feminine act as regarded by their elders. Pandits merged their 'choty' into the hair of the head and all the young boys shunned the use of a cap and turban.

The educated young men clean shaved their faced, and gave it priority even to morning prayers. Shave replaced the word Islah, the partial shave of the beard of the elders. Slowly and steadily the old type mud huts, with thatched roofs, changed places with bangalows (Bangla) with corrogated tin sheets as roof (teen) or shingle (Singal). Door-mats appeared near the entrances, particularly of the drawing rooms. Sofa sets began to be used.

Teapoys armed chairs (aram Kursi), veranda chairs appeared on the scene. 'Button doors', began to be manufactured. Spring chairs and decoration pieces also became common. Compounds changed into lawns.

Style of buildings as well as nature of material for constructions also changed. Cement (ceemath) in different proportions started to be used with sand for building purposes ; raised plinths became order of the day. Previously no cement or 'chona surkhi' were used. Only mud was used in stones. For the wooden "dasa" concrete began to be used and generally the floor of the first storey was replaced by a cement slab and if a veranda, small or big was to be allowed, it was of iron bars and cement concrete. Bajri and cement with sand made the floor of each room cemented. 'Chips' also began to be used.

Bath rooms fitted with Showers and lavatories with seats of glazed cement basins began to appear on the scene and washbasins also were added. Towels (Tawliya) and soap (Lux, pears etc) came in vogue. Shampoo and powder also begain to be used by gents and ladies alike. Miswak was looked down upon and instead tooth brush (Danda burush) and tooth paste or cream began to be used. Grandfather and fathers become Daddy and mothers mummy, khala become aunti or auntiji, chacha or taya uncle or uncleji, 'behan' become sisterji.

Pandit and muslim youth progressed alike on the road to modernisation. Both become Sahabs and both started falling away from going to Mandirs and Mosques. In fact the more they fell away, the more emancipated young men they were acclaimed to be. They frequented bars, clubs, cinemas and fashionable hotels and restaurants. They would have a peg or two of some drink for the sake of fun or just for keeping company of the friends. They would pay bills at the counter or to the bearer on production of a voucher with a tip. He says 'thank you' to the bearer or to any one doing something for him, and Shakes hand (handshak) on meeting some body, or bidding farewell to someone. He welcomes, a friend with a 'halo' or receives a telephone call with a 'halo.' If it is a wrong number he says 'sorry' and the person at the other end says, 'It's all right'. These words constitute attiquette these days.

The whole atmosphere of a home has under gone a redical change. The 'choola' has been replaced by a 'gas daan' (hearth) or a Stove. In usings stove the housewife feels a little bother in keeping the pressure by pumping every now and then and removing the dirt by a "pin". She has no such trouble with the 'gasdan.'

She prefers it to hearth and stove for this reason also that no soot accumulates on the utensils of cooking. She generally uses a "Cooker" which means speady preparation and she can attend to other works till the whistle announces the pressure. If she wants to boil the material for a longer period, she keeps it there till it shows more than one pressures. She can use an electric 'heater' also for cooking purposes. She now knows everything about the electric current, its 'positive' and 'negative'; grounding of a wire; 'fuse' that goes off some times and 'connection' that has to be re-established by replacing the 'fuse'. She also is careful about reading on the 'metre'. She knows how much 'power' is consumed by using different 'Voltage' lamps (lamp). She knows putting on and putting off the power and uses "bed switch" on her "bed" for convenience. She takes off or puts on a 'plug' for a 'bulb' or 'heater'.

She knows the use of an electric 'press'. She gets her woollen garments etc. 'dry-washed.'. She uses 'Surf' 'Det' etc. for cleaning her or her husbands clothes. She knits her Rubby's, Baby's, Daisy's, pullovers, high neck, sweeters herself. She has a knitting machine and a sewing machine in her house. In many things she she is independent of a tailor.

A young mother does not feed her babies from her breasts but instead uses a 'feeder', in which, she knows how much water is to be added to pure milk with a small quantity of Sugar and some times of glucose. She at times uses dry milk-powder for tea (Lipton as she calls it) or 'coffee'.

A women does not now sleep on a mat or 'chattai' on the floor. No. She use a 'single' or a 'double bed.'

Like her home environment her habits and dress have undergone a tremendous change, she puts on a 'night suit' when she goes to bed and a 'scarf' on her head. She puts on her clothes in the morning, first of an ordinary make and of cheaper stuff but on preparing for leaving for a party, an office or a school or to see some friend or relative, she puts on golden rings of the latest fashion, and a 'necklace'. She puts on a 'sari' or a 'dupatta' a 'shirt' or a 'blouse' and a 'bell bottom' for trousers. A non muslim lady generally uses 'frock, or a shirt with half sleeves, a sari or even a 'petti coat'. Both use the 'bras' to keep the teats in a fit condition. Nails are generaly painted (Nail paint) 'lip sticks' are used and 'make up' is the fashion of the day.

If it is a marriage party, costly dresses are put on and a set of gold ornaments is used. Carrying a 'purse' is a must and in it often is a small mirror, stick or two of nail and lip paints,

and some dusting 'powder'. A set or two of clothes for 'change' are also carried in a 'bag' or an 'attache'.

The young lady now is not shy and shirking like her mother. She makes all purchases herself and in-variably goes alone for shopping. She may even visit a 'cinema show', a 'play; a 'picture; an 'opera,' a 'drama' all by herself or with her husband. If she is a 'mem sahib' of an officer (Sahab), she may enquire on 'phone' from the 'manager' of a picture house about the play and may even ask for a 'reservation' of 'seats' or get a cabin 'booked' or 'reserved'' She may go to a 'club' attend a 'cock-tail party' or a dinner; a 'lunch' to which she may be invited by a friend or some organisation. If she belongs to a forward or advanced family and is a maiden, she may go in for a dance with a boy friend. Though this is very rare in Kashmir, a backward state in that respect. A young women may not even know how much different she looks from her mother at her age. The mother, when young, could not talk freely to her father, elder brother or any other superior of the family, not to speak of strangers. She had a 'pütch; a dupatta on her head, a small earring (dür) or a bunch of 'Kanwajas' or a 'bala' in her ear, used a 'pheran' with a 'potch' cotton garment, attached to pheran, shirt and a trouser. From dusting the floor to cooking and serving young and old in the family, she would take care of the cattle and carry headloads of grass or shali, if she belonged to a tillers' family In all other respects a girl of a town or a city resembled her. She could not go out without a 'burqa'. There was no cinema, no club nor moving about freely. Old norms had to be followed. Now there are all chances of meeting of the couple in a 'buss'. In any 'mughal' garden , in 'college' or an 'office'. Though the conventional marriages are still common yet the couple often exchange greetings in writing, on phone or on seeing each other. Instances of a lady driving a car or bicycling is quite common now and we find a college girl or a clerk ('kalarakh') etc paddling like boys.

When married, a women would only feel the difference of four walls. She would see new faces, whom she had but to like, love and serve. She had to mentally suffer all that she came across from the curses and abuses of her mother-in-law down to the taunts and persecution of her other in-laws. To suffer in silence was the sign of modesty, nobleness and good behaviour. There was no escape from it. She had to carry on her head a 'qasaba' and a pütch. A qasaba was a round thick folded cloth pinned on to a cap, studded with long round headed pins of various colours and sizes. Some gold or silver ornaments according to her position in society were also adorned on this qasaba. A silk,

cotton or mixed cloth was kept hanging from qasaba on the back side. The lady had to get her long hair twisted into what were called 'wankaz' and a mat like pattern was given to it, which would remain covered by the pütch, except the temples on either side.

Hindu ladies wore a 'taranga', a flat, hard round cloth pad on their head and a piece of cloth broad in front and tapering down on the back and enclosing the long hair.

The old atmosphere has given place to a new one and the whole set of habits, dresses, mode of living, almost every phase of life has been effected by the modern ways of thinking, living and behaving. It is through English language and modern media of education, namely radio, cinema, television, schools and colleges that a new culture has been born in which only the background is Kashmiri and the spirit and the form are European.

The Kashmir Freedom Movement lanched in 1931 also has had a tremendous effect on the erstwhile backward Kashmiri. Till then only the upper middle class was affected by the modern life. Kashmiries felt a new throb of life, a fearless life, a bold confrontation with the Governmet of the Maharaja and his officers. Bullets 'jails', 'fines', 'canings', 'exiles', 'interrogation centres', 'leaders', 'agitation' 'stage', 'lecture', 144,19L (Marshal law) crept into the Kashmiri language without effort. People learnt to sacrifice life and property for a national cause. Till then a Kashmiri had suffered as an individual and had only yearned for things for himself or his family. He became conscious of his rights and rights of Kashmiries as a nation.

He agitated for 'public schools', 'hospitals' 'government services' 'for roads', 'freedom of press', of 'platform' and 'speech'. He fought for a 'legislature' and 'assembly' for 'adult franchise', right of 'vote' for electing his representatives, an assembly 'member' of his choice. He learned to convas or propagate about or against candidates and understood what the effect of propaganda, meant. He asked the ruler to go, to quit Kashmir.

Men and women fought shoulder to shoulder.

The industrially advanced nations were forging a head under the revolutionary changes brought about by new technology, new scientific discoveries and inventions and new philosophies of life. They felt a forward thrust and questioned the very existence of God himself, the validity of religious, preachers and preachings. All life seemed to have been thrown into a melting pot. But it was a

premature society of Kashmir who were struggling to wriggle out of the iron hand of a monarch, protected by the bullets of the British rule in India.

The more the Kashmiries fought for freedom, the more the English language and culture penetrated into their language and life. Volunteers (Volunters) were raised, 'conferences' were held, 'processions' were arranged, mass political education was given from public stages, and the nimaz congregations. The Kashmiries threw off the clock of monarchism, the 'jagirdari' and capitalism and achieved the goal of a democratic way of life.

Every day life on the other hand continued to grow on a systematic pattern towards partial Europeanization. More and more boys took to learning in schools and the medium of instruction continued to be English. English medium Schools multiplied in number and those who could afford to send their children to these did so in large numbers and the rest of the children availed of free education. Life as a whole showed signs of drifting away from the age old customs and institutions.

The grip of Hakims also started lossening. Their treatment was looking upon as cumbersome. A patient under a Hakim was subjected to fast for days. Some times blood was drawn out of his body, and very often resort was taken to lessoning the quantity of infected blood, impure blood as it was regarded, by applying leaches. On 'Nowroz' the Iranian New year, day, applying leaches and drawing of some blood from the body was regarded as a suspicious and was thought to stand in good stead against disease for the ensuring year.

People understood the difference between the old ways of treatment of a patient and the modern methods of it. They felt the magic effect of 'penicillin' and other 'injections'. They opted for 'pills' and drugs in bottles (hand botal) to boiling of herbs and preparing a sharbat at home. They submitted to 'opertions' when a surgeon specialist so advised. They came to know the advantage of transfusion of blood into a weak body after operations or after a delivery through a minor or major operations.

Hospitals (Hespatals) started being looked upon as centres of cure where 'nurses' (compoodar) and doctors (Dokhdar) attended day and night to 'indoor' patients. The patients knew that the hospitals had 'bloodbanks' and healthy youngmen and women came forward to donate blood or sell blood on payments.

'Bed' with blankets and beddings were arranged by the hospital management. Bread, butter, eggs, milk and other essential foods

were provided for and in T. B. hospitals more care was taken about the general health of the people. For doctors 'private practice' became very lucrative and those who could afford preferred paying fees to them and also bribes to surgeons and to the hospital staff.

The Kashmiries who previously thought fruit as a source of bad cold during winter understood its importance as an article of food. Oranges carried by a Kashmiri sometime ago were regarded as a sure sign of somebodies indisposition and people started finding out what was wrong in the family!

Fruit juice of several kinds of fruit crushed together and vegetable meat or chicken soup gained due importance in the menu of a convalescent person. Going to healthy resorts like Tangamargh Gulmarg, Pahalgam, Kukarnag also became a part of programme for improving once health.

People kept some well known medicines, capsuls or pills, expectorants and antibiotics ready at hand and gave themselves first aid more so at places were doctors could not readily available. Bone dislocation cases and fractures used to be treated by illitrate people by very crude methods. People realized the difference between trained surgeons and binders (watan gor).

A surgeon would take 'x-ray' 'photos' and know for certain the position of the bones. He would keep the fracture or the joint properly bandagged.

Life on the play grounds also changed completely. Kabaddi matches, hide and seek games and the like were forgotten, coaches and referees were employed to guide and control playgrounds. 'Foot ball' 'hockey' and 'cricket' became national as also international games. 'Trophies' were offered to the winners and sometimes the entry to the 'Stadium' was controlled by 'tickets'. Those who played these games well earned people's applause and became heroes loved by masses. Stadiums were built in cities to accommodate thousands of spectators and balconies for dignitories to watch the players.

On special occasions mass drill of school going boys and girls were arranged, as also cultural shows were shown. Some times military forces exhibited their special displays a 'marchpast' was arranged to honour the chief guest or a V. I. P.

Sports came to be liked by the players and the common folk alike. Nowadays 'cricket teams' 'football player's and hockey players organise themselves as private 'teams' and play where ever playground are available. Challanges are thrown to opposing teams

that playgrounds are made available in the interest of the health of the people and kept clean and tidy. Stadiums are also being looked after. There are sports committees everywhere to arrange annual sports, offer trophies aud 'cups' and invite teams both from within and from outside to play matches or 'tournaments'.

'Olympic games' have also become a world feature. These are held on a very large scale and various advanced nations participate in these. Nations feel proud of their successful teams. Success and failure are regarded as honour or defeat of a nation. 'Gold medals' 'Silver medals' and even 'Bronze madals' are offerd according to the merit of a player or a team.

'Badminton', 'Tennis', 'Basketball', and 'Table tennis' are also played on both national and international level. Kashmiries have recently stepped out of the mountainous walls and have participated in some matches on All India Competition basis.

Municipal Committees as also Town Area Bodies are run on Democratic lines. The Councillors are elected by the people's votes. A city or a town is divided into zones called 'wards'. Each ward elects a Councillor, and Councillors in turn elect a 'Chairman' a 'Vice Chairman' and Secretary (Saktary) among themselves.

Roads in the city are maintained by the Municipal Commitees, sweepers are employed in reasonable numbers to keep roads clean of horse and cow dung, both being allowed to move about freely and also keep drains covered so that no untoward thing happens. Though, much remains to be done, yet it is commendable that cities and towns are gradually offering better look.

There was no Press at all during the monarchical regime but now it is existence and free to a large extent. The number of daily papers is slowly increasing but there is much room for growth of the weeklies. Periodicals are also doing well but Kashmiri papers have proved short lived and there is only one periodical Shiraza published by the Academy of Art and Culture and languages, that has been in existence for some years now. There is an 'Editor' for a newspaper, as also a 'printer' and 'publisher' and each paper carries on 'editorial.' There are 'press correspondents.' 'VIPs' give 'press conferences.' A few papers bring out special number's; one or two give 'cartoons' which have become quite popular.

There is a reasonably large number of writers and poets in Kashmiri language and quite a few are of excellent standard. But the Kashmiri speaking people unlettered and the educated alike, are averse to reading and writing Kashmiri. A habit common in

nation that remained dominated for centuries.

A Kashmiri has not in reality got over his slavish mentality even though seemingly he lives in a democratic society. He speaks Kashmiri when at home, writes letters to his friend in Urdu and uses English in his official correspondence. He calls his kids by pet names such as Pinky, Rosy, Ruby, Baby, and the children in turn call him Daddy and their mothers as Mummy. sometimes Dadyji, mumyji, their aunts as aunti or auntiji, uncle as uncle or uncleji He calls his father as papa or papaji. His father's friends he also calls as uncles.

When some melicious article or new item appears in a paper the maligned person sues an editor for 'defamation.' There is a Press Act according to which a paper has to behave. A newspaper has before appearing to seek approval from Dy. Commissioner' and fill up a form of 'declaration.' He has to get his paper 'registered' so that it can avail of the benefit of 'quota' of paper on concession basis

Advertisements mean a good bit of business for a daily newspaper. Those papers who side mostly with the policies and actions of the Government get Government advertisements and financial assistance as well.

News papers in Kashmir are still in infancy and only occasionally does an editor write against the Government. The standard, baring a few papers is quite low both in language, material and treatment of a subject.

If a papers is sued for defamation, or spreading communal hatred or for some other reason the paper may be stopped, the 'security' amount may be forfeited or the publishers may be ordered to 'deposit' a few thousand rupees more as a security money.

Judiciary in Kashmir is independent to a large extent. There are 'judges', sub-judges, 'session judges,' 'High court judges' and 'chief justice '. There are 'Government prosecutors'. 'Advocates' in 'courts' and 'High courts' and 'vakils' or 'pleaders' in oher courts. Thus we find—all waves of life affected by the English life, thought and language. It is the english words that entered into the Kashmiri and brought about the transformation.

Though elasticity of the language and its aptitude to imbibe the spirit and words from other more viable languages is a commendable feature of a living language, yet occasinally a language should have areasonable check on the invading words, which if allowed to enter uncheked, distort the language completly. Kashmiri as a living language has always kept her doors open

for other languages, Particularly languages of the ruling nations but the damage done has unfortunately been emmense. The Kashmiri speaking people have been swept off their feet by each wave of a ruler's language. With the advent of Islam in Kashmir persian influence took such deep roots that the life and culture of people became almost a 'carbon' copy of Iran and Kashmir boasted of having become 'Iranisaghir,' a miniature Iran. Persian and Arabic words not only replaced the Kashmiri words, but brought along with them reformation of dress, habit and manners and today it is difficult to find Kashmiri equivalent to quite a number of its own words.

English language has been equally kind to Kashmiri language and as the industrial and technological age is in full swing, it is likely that in due course of time, Kashmiri language might adopt words to such an extent that researchers after a thousand years might be misled to regard English as one of the origin of Kashmiri language.

In a section of the Kashmiries living in 'Boats' or 'House boats,' a sort of a mongrel languages has been born, a hotch potch of English and Kashmiri language and it is really surprising, if this hybrid may not take permanent roots and continue to be used uninterruptedly for centuries to come.

All said and done the fact remains that the middle or the upper classes of a slave nation loose their moorings before the onslaught of the dazzling life of the rulers to an extent, from where retreat seems impossible. A member of such a society is a bird with borrowed feathers, unable to fly and incapable of maintaining its balance. For years to come he (a Kashmiri) will not be able to adjust himself to his surroundings. He may continue to dress himself like his old masters, live upto their standards and spoil himself. He could still learn a leason from other parts of his vast country India, where all other states progressed under the British rules but where the impact of English life and language remained restricted to learning of the language, while their life and manners have strictly remained their own.

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ISLAM
Promotes Vegetarianism

—*Mohammad Amin Pandit*
Nishat, Kashmir.

A RELIGIOUS movement must move; move forward rather than backward. It cannot survive without progress and expansion.

FALSE ASSUMPTION:

In matters of food and drinks, the general assumption is that Islam is in favour of non-vegetarianism. Habit, custom and tradition tend to support such a contention. But custom cannot override the Holy Commandment.

Just as European dress is utterly unfit to oriental posture adopted in Islamic prayers, is it wise to imitate the Western habits and ideas on food and drinking?

Islam is not dogmatic in character. It has promised forgiveness even in the matter of forbiddin food, but the Quranic Verse given hereunder should not be treated a liberal law as opposed to an exception under sparingly special circumstances:

"But whosever is constrained
(to eat forbiddin food) without (intending to be)
a rebel or transgressor incurs no guilt."

It should be remembered that the above Quranic Verse begins with the word BUT in capitals. It is an exception prescribed for compelled circumstances, rather than an injunction for all situations. Just as a Muslim male is permitted to have more than one wife PROVIDED he can treat them ALIKE, a conditional permission in respect of forbiddin food, therefore, cannot be equated with that of a commandment.

Now what does Islam commend or prescribe in so far as food and drinks are concerned?

Before we proceed further in the matter, we must understand the difference between what has been categorised as forbidden food and what is recommended food.

FORBIDDEN v/s RECOMMENDED FOOD :

Regarding the forbidden foods, Quran is emphatically clear not only at one place but at several places :

"He has only forbidden you (to eat)
that which dies of itself
and the blood (poured forth)
and the flesh of swine
and that over which (instead of the name of)
any other (name) than (that of Allah
has been used."

So far so good. But what is the command of Almighty in respect of permissible foods. Quran says :

" O Ye who believe.
eat (and drink) good things
that we have provided you with
and give thanks to Allah,
if Him alone it is that you worship."

Obviously Islam enjoins upon its followers to tread the middle-path, differentiating between good and bad; between Halal and Haram; between Pak and Najas, avoiding the things which are injurious to health or offensive to taste and morality.

Quran lays down :

"O Ye mankind,
eat (and drink) of what is on the earth,
lawful and pure,
and follow not the footsteps of the Evil-one,
Verily he (satan) is to you avowed enemy.
He (Satan) only bids you to evil
and to things obscene,
and that (what) you speek against (and)
what you know not".

While Quran, every now and then, lyrically refers to the thought of God Almighty; the Creator, Preserver and Destroyer; providing innumerable bounties of Nature for the benefit of man, pride of His creations, it occassionally talks about the sun and its brightness, flash of the lightening and the storm of hail and the procession of life-giving clouds as manifestations of His power and beneficence and His majesty in nature. God is shown to be

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praised by all ceration, the birds in their flight, the fish of the sea and the beasts of the earth.

FOR PRAISE NOT PREY :

It will thus be seen that birds, beasts and fish have been protrayed as creatures enjoined to praise God Almighty, rather than being objects for statisfying the instinct of man's hunger and thirst.

The real answer to our quest to know as to what aught we eat or drink, is found from the following Quarnic verse which is full of wisdom i.e., Hikmat :

"And we send down from above
water (in the from of rain, snow, dew
mist, hail etc.) according to a
proper measure,
then we cause it to settle in the land,
and surely we are indeed capable of
draining it off.
Then we cause to grow thereby
gardens of date trees and
vine yards for you,
You have there in plenty of fruits,
and you eat therefrom,
And we cause to grow a tree
(blessed olive)
which rises out of Mount Sanai,
it produces an oil and a jelly
for the eaters.
And indeed there is a lesson
for you in the cattle (too)
We make you drink of that (milk)
which is in their insides,
and for you there in are many
(other) advantages,
and thereof you eat
and upon these and upon the ships
you are carried."

PRIORITIES FOR SUSTENANCE :

It will be seen that the foods that have been ordained, in order of priority, are the fruits, grains and corns produced by Mother Earth with the aid of water so bountifully poured by God

Alimighty in proper measure. Also ordained is the milk of cattle and milk products. While the cattle has been basically described as a means of transport, these have been permitted to be used, only when absolutely necessary, as sacrificial animals during Hajj, whose meat in small quantities could be partaken as a token of sacrifice offered to God. There are also strict rules laid down for distribution of such sacrificial meat among fellow-pilgrims, neighbours, relatives, poor etc. Such meat-eating should not however, become a regular daily feature.

SEVEN JEWELS :

Man is the best of God's creation. He has been described as the inheritor of earth and the paradise. Men are to be endowed with the light of seven jewels viz. i) humility, ii)avoidence of vanity, iii) charity iv) purity of sex, v) fidelity to trusts and vi)to convenants and vii) an earnest desire to get closer to Allah. Man has been created from an assence of clay; spermatozoa being produced from the seminal cells which are derived from the food drawn from the earth in whatever form it may be. Man's life and preservation is supported by the produce from the virgin earth. Again,Quarn says :-

"And thou seest the earth parched up
then when we send down upon it water
it stirs and swells
and grows every kind of beautiful herb.
This is so because of Allah"

Allah is behind creation of life and nature. He is behind the food produced by the earth for sustenance of Man. Western thought and concept notwithstanding, there is very little to prove that meat and flesh of animals provide more or better proteins, and vitamins etc. Than do the grains, pulses or herbs In fact it has medically been proved that meat-eating results in high-blood presures, tensions and passions.

LASCIVIOUS FOOD DISCOURAGED:

In surah Rehman (the most Gracious) is narrated the favours the Rabb (God Almighty) has bestowed upon Man, the perfect of the creations :

"He taught the Quran,
He created Man,
He taught him distinct speech,
the sun and the moon are in a reckoning
and the plants and the trees do adore.

And the sky He has raised it high,
and He has oppointed the Balance
that you may not transgress in the balance.
And keep up the balance with justice
nor shorten the Balance,
And the rotatory- earth - He has
appointed it for (His) creatures.
There in are (trees of various) fruits
and date-palms with many coverings
and grains with husk and
the fragrant flowers.
Which then of the favours of your Rabb
will ye deny?".

Fruits, grains, date-palms, fig, banana, promegrenade lote-trees (tree of bliss), honey, ginger-drinks and flowers of fragrance are among the few favours spoken in the holy Quran.

Nowhere has Quran *sung* in praise of flesh, meat, fat, blood, egg or carnal, lascivious materials. Quran does not, as such, promote a carnivorous society.

ON DRINKING, HUNTINGS, FISHINGS :

On the point of drinking, the Holy Quran has the following advice to offer :

"The (people) ask Thee (O Muhammad)
about the intoxicants and
games of chance,
Say : in the both these there is a
great sin
and gain for men,
but the sin thereof is more
serious than their gain."

Hunting is permitted, not necessarily recommended. Besides, hunting is preferred with the aid and help of beasts and birds specially trained and domesticated for this purpose. Hunting is prohibited in Bait -ul Haram and sanctuaries devoted to Allah.

Fish is mentioned,, but not fishing. Fish is stated to be a boon of the seas which can provide food to needy, perhaps when necessary. This does not diminish the priority accorded to grains, pulses, fruits, vegetables, herbs and agricultural produce primarily *recommended* and prescribed as food for humans.

CATTLE FOR SACRIFICE :

Meat of sheep; goat, ram, lamb etc. is treated on a special and separate footing. Such meat is not prescribed as a source for food but *may* be consumed only when the sheep have been sacrificed in the name of God. just as prophet Ibrahim sacrificied his son Ishmael at the alter of God Sacrifice is an act of supreme self-denial which a man or woman can hardly afford to indulge so too often as to become a regular daily feature.

ABNEGATION v/s EXTRAVAGENCE :

Islam is a religion devoted to teaching of self - control. It does not teach absolute, self-denial and abnegation. Neither does it teach pursuing the path of extravagance. It has taught to go by the balanced, Middle Course leading to piety as opposite to passion. The earthly life is to be treated, in Islam, as transient and a passing phase for the ultimate flight to heavans. Food, as such should not be subservient to gastronomical instincts but should constitute only of things that keeps the life on - going and makes Adam's and Eve's offspring pious enough to realise the object of communion with Allah.

With this object in view, Prophet Hazrat Muhammad (peace be on Him) is said to have eaten, as reported by contemporary Abu-Huraira, only bread made of barley - oats throughout his life and that too half - empty stomach, even in Medina, when the prophet had all the wordly resources at his command, being the conquerer of his adopted city.*

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* The above is a paper from the unpublished work of the same title by the author, whose address is : NISHAT, Srinagar, Kashmir-1900121.

Kalhana and his Rajatarangini

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INDIAN architecture, sculpture, cave-temples and paintings, in most cases, do not reveal the names of their authors. The peculiar trait of self-abnegatiun is specially characteristic of Ancient India. This is also noticed in the case of some of the literary and historical works. In the case of Rajatarangini, "The River of Kings", we at-least know the name of the author, but, here again, the whole ancestry and the life of the author is hidden in oblivion. Kalhana shares the common fate of the Indian authors of note whose memory lives solely in their works. The introductory note attached to the end of each book of Rajatarangini, gives the name of the author as 'Kalhana', 'the son of the great Kashmiri minister,' "the illustrious Lord Canpaka". Historical deductions reveal that he was a Brahmin by caste. The Sanskrit style of Rajatarangini is similar to that of the accepted style of the Pandits of Brahmin descent The introduction to each book of his chronicle is begun by prayers to Shiva in his from of *Ardhanarishwar* representing the God in union with Parvati. Besides, Jonaraja the continuator author of Rajatarangini, has referred Kalhana with the epithet "dvija". A study of his chronicle displays his friendly attitude towards Buddhism. His faith may be epitomised in one word "electicism".

The name Kalhana was derived through the Prakrit "Kalhan" from the Sanskrit word "Kalyana", meaning "blessed".

Kalhana wrote his work during the years 1148-1149. The style and the spirit of the work shows that the author must have attained a mature age. The elaborate description of the unsteady conditions of Sussal's reign (A. D. 1112-20) makes it clear that he must have been of age at that time. Hence, his probable date of birth might have been the beginning of the twelfth century.

The century of the birth of Kalhana was marked, in the history of Kashmir, by a dynastic upheaval resulting in many important political changes. King Harsha (A. D. 1089-1101) seemed at first to give Kashmir a period of good government but he fell victim to his own lavishness and extravagance. After his murder, Kashmir for seven years more, witnessed civil wars which brought death and destruction in its train.

Kalhana was gifted with scientific approach and a critical temperament His portrayal of the various classes of Kashmiri people is very graphic and true to life. The reaction of the common folk to the disturbed political conditions of the time, is full of realistic touches. He says that the people were "callously prepared to welcome any change". His description of the idle and indifferent city crowds and their feelings, shows that he throughly understood the nature of his countrymen.

The unsettled political conditions of the time negatived all chances of patronage to the creative works of art; hence Rajatarangini was not written under the patronage of any King. Kalhana had a high sense of his responsibilities. He considers only historians "Worthy of praise, whose word, like that of a judge, keeps free from love or hatred in relating the facts of the past...and surpasses even the stream of nectar,...and can place the past times before the eyes of men;"

It is interesting to note that Kalhana prepared himself for the role of a poet. The Sanskrit classical poetry cultivated by Kalhana reveals that he had an intensive training in the Indian rhetoric, *Alamkars'astra*, and the equal mastery of sanskrit grammatical lore. His literary studies were deep and comprehensive. All the known literature of his time, beginning from Epics to Kalidas's works *Raghuvainsha* and *Meghduta* and Bilhan's *Vikramankadevacharita* and *Harshcharita*, were read by him. Stein says: "His literary training indeed, had been of the strictly traditional type and the manner in which he employed it shows no conscious departure from the conventional norm. Yet it is clear that Kalhan was not man of schools, absorbed in his Shastras."

Kalhana scrupulously studied the original sources including inscriptions of various kinds before he started writing, the Rajatarangini. He also studied coins and inspected buildings.

Kalhana found all possible avenues to his hereditary career closed on account of unsettled political conditions of the country. So the best way to employ his talents, he thought, was to write down the history of his country from ancient down to his time. He was also inspired by original patriotism. By painting a glorious picture of the past he wished that his countrymen should shed the inferiority complex, feel proud and try to emulate their past traditions. Therefore, the Great Asoka, he shows, was the kind of king whose examples were to be followed. It is Kalhana's sheer patriotism when he says: "Kashmir may be conquered by the force of spiritual merits, but not by the force of soldiers."

Kalhana has honestly and impartially related the events. While recording the contemporary happenings Kalhana hs presented the

principal figures in their individual character and not as types. Here he represents a contrast to Bana and Bilhana in treating historical personages, who have painted their heroes all white and enemies all black.

Rajatarangini is a class by itself in Indian literature. It is very much different from *Charitas*, which were composed under royal patronage. The scholar-pets of *Charitas* had the rare gift of inventing fables and myths and applying their talent in glorifying the achievements of their patrons. Their works are masterpieces of literature dabbling in subtle poetic art, rhetorical embellishment, and *alamkarshastra*. Rajatarangini, on the other hand, is the work of a detached and impartial mind, viewing the past and presents with historical acumen and not in a spirit of hero worship or pleasing patron. Rajatarangini not only forms a class by itself in Sanskrit compositions but has a striking resemblance in character to the chronicles of medieval Europe and of the Islamic East.

While writing the first three Books (chapters) of Rajatarangini Kalhana made full use of tradition whether written or oral, and the chronicles which were evidently based on such traditions. In writing down these traditions, at times, the critic in Kalhana comes out. Far instance, he mentions three traditions of the death of the King Lalitaditya, without stating what is true, and comments; "When the great meet their end there arise—stories indicative of their uncommon grandeur." King Meghavahan's exploits have been described in such a fanciful manner, that Kalhana himself is apprehensive that they might not be accepted as true but he tries to justify them by comparing them with the cruelties of Harsha, which, in their turn, might not be believed, but for them there were eyewitnesses.

For the last two chapters of his book Kalhana's main sources were his contemporaries, his father, fellow-countryman and his own memory. Thus many incidents of the treachery of Bhiksacara's troops, he categorically writes, were witnessed by him. It is no surpirse that much of the history of the previous two generations, he got from his father and father's friends, who held key-posts in the politics of their times.

To give the details, Rajatarangini consists of eight books (Chapters) of unequal size, written in Sanskrit in nearly 8, 000 verses of rare literary merit. The text may roughly be divided into three sections:-

1. Book I - III, are based on traditions.
2. In Books IV - VI, dealing with Karakota and Utpala dynasties, he has made use of the works of earlier chronicles who were

contemporaries or near contemporaries of the events they described.

3. Foor books VII - VIII, dealing with the two Lohara dynasties he made use of personnal knowledge and eye-witness accounts, the latter often perhaps received at second or third hand.

The style of Rajatarangini is not crude or difficult. These are scattered verses adorned in flowery language or donned in fanciful imagery, of country sanskrit. Kalhana's idea was that even a historical text must be a work of art and has tried to make his work attractive to readers. His accounts are graphic and vivid except in his last two books, where so many characters are introduced without proper introduction. Kalhana who had maintained strict adherence to chronology from the beginning of the book most religiously, had, in the second and third sections not followed it to the letter.

Evidently he was writing his book for those, who were familiar with the events of the period.

Kalhana in writing Rajatarangini set a tradtion for history writing. His book, after him, was continued by four successive historians from the point where he left, to some years after Kashmir's ennexation by the Mughal Empror, Akbar.

The mission of a historian, according to Kalhana, is to make vivid before one's eyes pictures of a bygone age. History has a unique gift of immortalizing personages and events, and in this it even surpasses the mythical ambrosis, while the latter immortalizes only the man who drinks it, the former all those whom it touches. Kalhana was aware that his work would not only achieve permanence, but would enliven all the actors as well as himself. He had another object also in view. He says "This saga, which is properly made up, should be useful for Kings as a stimulant or a sedative, like a physic, according to time and place". Kalhana expected that both good and bad Kings would derive profit from his work. He is a staunch advocate of historical impartiality.

Kalhana's assessment of more recent happenings, is fair. He paints no character wholly black or white. He had deep insight in man's nature and his psychology. He says: "As in heaven the little clouds change shape, and take on the from of elephants leopards, monsters, serpents, horses and other beasts - so do the waves of feeling change in the hearts of mortals, from kindness to harshness as the moments vary".

The didactic feature of Rajatarangi may be traced to the

selection of *Sunta rasa* i.e. sentiment of resignation. Here Kalhana's avowed motive is to show that material prosperity and royal possessions are objects of transitory glory. The evil acts of man racoil on him by the stronge hands of destiny. In the same way acts of policy, statecraft and individual conduct are again and again praised and analysed in the light of *Dharma* or *Nitishastra*.

Rajatarangini appears to wage a war in favour of benevolent despotism and deprecates feudalism. Believing in orthodox *Rajniti* (State Craft), he had his own conception of good government. Explicitly or implicitly Rajatarangini carries the idea that a strong King is the ideal King, who has firm control over unruly elements, but is benevolent towards his people and sympathetic to their wishes. He chooses his ministers with discretion, and listens to their counsels with respect. Kalhana has shown his unflinching disapproval of Damars, the petty feudal chiefs, who were the cause of anarchy and confusion in Kashmir since the death of Harsha. Another motive, perhaps, in writing Rajatarangini was that of inspiring the Kings of Kashmir with their ancient glory and prowess, and to curb the unruly elements, who aimed at making the king weak. He says "The crab kills its father, and the white aunt destroys its mother, but the ungrateful Kayasthas, when they become powerful, destroy every thing". At times Kalhana becomes pessimistic. The words put in the month of Harsha symbolises it: "This land, after having been a virtuous woman, has fallen like a prostitute in the arms of insolent. Henceforth, whoever knows how to succeed by mere intrigue will aspire to that Kingdom, whose power has gone". Here the historian shows his prophetic vision. He is no more simply a poet or a scholar.

Rajatarangini is a saga showing the force of Karma. Whatever good or bad a man does in this life, Kalhana believes, reaps the harvest for that in the life to come. Often the force of Karma shapes events and provides the basic moral sanction.

Fate, according to Kalhana, is the second force influencing the human destiny. Fate is sometimes used as a synonym for God. God or the gods often influence human affairs. Sometimes adverse fate is overcome by those who trust in their arms. Here also Rajatarangini gives another hopeful message to his countrymen that whatever fate or creator might have in store for them, only a strong king confident of his powers could save Kashmir.

Rajatarangini interlinks the *Karuna* of the Kings with that of his subjects. Good kings arise through the merits of their subjects. A king and his subjects could mould the orders of the nature.

This great work has also some shortcomings. The sources use d by him, were not criti cally analysed and discussed. His narrative becames more legendary and anecdotal in middle of the ninth century, when one seems to reach contempor ary records. "Of the defects of the records and the conflicting opinions which accordin g to Kalhana's introduction rendered his task difficul t, we nowhere receive a distinct indication." Fabulous stories, manifest impossi bilities, exaggerations and superstitious beliefs, have been described as historical truths, which betrays his credulity. He has not saparated historic legends from history. Similarly, Kalhana's chronology is also not based on scientific data. Ofcourse, one cannot expect critical judgement in matters of chronology from an author who has started dating history from a legendary date of the coronation of Yudhisthir from epics, and attributes three hundred years to a single rular, Ranaditya. Kalhana could not and should not be blamed for this, as it was general trend among the Indians, so precisely described by Alberuni. "Unfortunsately the Hindus do not pay much attention to the historical order of things, they are very careless in relating to chronological succession of their Kings, and when they are pressed for information, and are at a loss, not knowing what to say they invariably take to tale-telling".

Rajatarangini also presents a contrast within itself - its earlier part is more of a fiction, and later part, that is early medieval part, is real history. It vividly describes the falling glory of Kashmir,—palace intrigues, murd ers, sedition, civil wars and treachery. The life of the ordinary common folk has not been touched. It is the history of Kings, royal families, and nobility, justifying the title "River of the Kings".

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Linguistic Sociology of Ancient Kashmir

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IT is an undeniable fact that in the evolution of language, the kin names, and terms of expression for very common and regularly surrounding objects and processes, have a primary and pre-eminent placement. The sociolinguistics and other sociologists contribute to the views that the earliest form of articulation must have grown round the kin relational primaries in the family, the artifacts and implements of daily need and the primitive psychological and sociological stresses experienced in everyday life. The dynamics of the primitive culture must have, therefore, been the major source of arliculation and language.[2]

Apart from the theoritical assumption underlined above, the kin names with which this study is particuly connected has another and a more vital aspect ; and that aspect has a direct and very deep bearing on the linguistic sociology and the general investigation of the root and source of a linguistic structure. Linguistic[3] psychology confirms the fact that the kin-names constitute a substratum which through ages modifies its extension, yet remains substantially unchanged in its vital substance and basis. This substratum descends down through the generations and is inherited by us and still forms an important part of the linguistic patterns of our age. The relevance of the kin-sociology[4] is formulated clearly on the ground that kin-names throw considerable light on the early language forms and their development through time which cannot be measured and approached easily. In the 18th century Sir John, a leading Indologist collected a long list of kin-names which were morphologically, phonatically and semantically of the same root and later conducted an exhaustive linguistic investigations which revolutionised the accepted notions of language and linguistics and exploded the myth that the European languages were connected with the Semitic-Hebrew group. Sir John classified

1. Jecb and Sturn : General Anthropoiogy-123.

2. Jesperson : Language, its nature, development and origin-273.

3. B. Franz : Sace, Language and Culture.

4, Jesperson : Language, its nature, development and origin-222.

Indo-European[5] languages in a common linguistic family and opened a new perspective, not only in the linguistic movements of the Aryan stock, but also in the Aryan race movements in general, which must have occured along-with.

It is in the light of these formulations that an attempt has been made to present a survey study of the kin-names in the Kashmiri language, which is possibily the oldest derivative of the spoken Aryan language of the Rig-vedic[6] era. Kashmiri, though modified phonatically, still retains the basis and root of its source. It has definitely certain special features which differentiate it from the Indo-Aryan languages of India, mainly because it is a direct descendent of the vedic. The Indo-Aryan languages have passed through many linguistic stages changing and modifying in the course of evolution and have also run into contact with languages spoken by the proto-Australoid and later mediterranean stocks, which were hurtied down to the South to settle into Dravidian communities there. The kin-names offer the explanation for these dissimlarities and also enable us to locate the basic identity between the Vedic and the Kashmiri.

A significant aspect of the kin-names and their appreciation is their relevance to the periodisation of the evolution of economic and social frames, a fact which is of paramount importance not only to the history of Kashmir but to the entire history of India. Placed alongside the agro-linguistic studies, the kin-names provide sources for the location of social strata as they got piled up, one upon the other. The corroboration of the Kashmir, Kin-names with the Reg Vedic nomenclatures therefore, open a break-through for the constructions of the Kashmiri's historical past, which otherwise is absolutely shrouded in mystry. The attemp, made here is, therefore, to provide a clue to the origin of linguistic development in Kashmir, and also periodisation of the proto-history of this ancient land.

KIN-NAMES

K : 1 Vedic=/Matri/(Rigveda 1.24-1, 7.101-30)
mother (In Kashmiri Prakrat/T/and/Y/
changes into/J/. In present kashmiri/Maja/
Dr. S. K. Chatterji is of this opinion that/Matra+
Arya/has formed present farm of Panjabi/Maji/

In Kashmiri language, there is evidence of this fact that the

5; J Benphant. Indo-European Languages-149

6 Dr. S. K. Chatterji ; Modern jndian Languages and literature 125.

7. Dr. Chatterji ; Origin and Development of Bangali-Ch-3.

ancient Kashmiri Society was Matriarchal rather than Patriarchal. It is because of this fact that married daughter calls her parental home/Malyun/(Parental home) which is broken farm of/Matra+Mouli+ayanana/. In Rigveda/ayanan/is used for Home.

Vedic : /Mola/(Pancavimsha–Bhasmana.–13.4.11) (father) the stem of this word is based on three different roots.

(a) /Mula avadharane/
(b) /Mula Pratisthayam/
(c) /Muln Ropane/

M. Monier William's Sanskrit-English Dictionary explains the semantic of this word like— "The original root, germ out of which all apparent farms are evolved. The primary cause/Maula/- the head, chief, formost and the crown.

In traditional Kashmiri language/Mola/is considered/Muladhara/ (The main factor of the family) This is a respectable word also. Vedie/Rishi+Nauli/Kash./Rashi+mola/(Sage father).

In Kashmiri language the little boy is affectionately summoned as/Mola/. This is the broken farm of/Jata/Mauli/one who has hair on the crown of the head) but/Jata/word is gradually omitted.

According to the given roots it was Sexologically established fact in these days that progene is responsible only with the aid of the father and the very root relates its evidence.

K. 2. /Bhratra/(Rigveda 1.64.1) "brother" After so many phonetic changes, present spoken foam of Kashmiri is/Boya/(Brother).

K. 3. /Bhagini/(Yaska's Nirukta—36) "sister" In modern Kashmiri it is/Beni/ (Sister).

K. 4. /Jani/ (Rigveda 4.52.1) "Woman." The present articulation in Kashmiri, has become voiced-aoffricative/zanya/ (Woman).

K. 5. /Putra/ (Rigveda—2.29.5) "Son" In the Panjabi ; Kashmiri and Hittate/trc/changes into/tar/Or/tur/ Such farms of Hittite language were found 2000 B.C. in Bogazkoi near, Asia minor) In Kashmiri it is articulated as/Potur/

K. 6. /Pautra/Atharva-veda—19.5.30) "Grand-son" Kashmiri—/Putur/ (grand-son).

K. 7. /Kumari/9 Rigveda-1.55.16) "girl" /In Kashmiri linguistics this is a common feature that central consonant along with the long vowel omits.

I. Vad. / Tushara / Kash. / Tur. / (Cold)

II. Ved. / Kapala / Kash. / Kalu / (Head)
III. Ved. / Shragal / Kash. / Shala / (Jackal)
IV. Ved. / Shamula / Kash. / Shal / (Shawl)

Similarly the central consonant of/Kamari/is omitted alongwith the long vowel ; Kashmiri farm is/Kur/ (girl or daughter).

K. 7. /Vayasi/ (Bhsa's-Svapna-Vasovadetta-2.34) "female friend,"

In Present Kashmiri/Vyes/

K. 8. /Jam/ (Rigveda-1.31.10) "Husband's sister." It is a startling fact that this ancient Rigvadic word/Jam/is retained only in Kashmiri and no other Indo-Aryan-language.

In Kashmiri/J / has changed into voiced affricative and present articulation is/zam/

K. 9. /Devri/ (Rigveda-10.86.85) "Husband's brother." Here back/ri/has come to front. This is special pecularity of Kashmiri Prakriat and /V/changes into/Y/is common in all Indo-European and Indo-Aryan language.

K. 10. Vedic : /Shur/ (Rigveda 1.63.10, Nirukt 4/13 "child. In Braja-Bhasa/S/has changed into/cha/, so it is/chora/ (boy) chori (girl). Kash./Shur/(Child)

Vedic : /Pitrivya/ (Rigveda-3.53.2) "Paternal uncle"

In Kashmiri female gender has come out after joining another form.

K. 11. Vadic : /Pitravya+ananya/ (Uncle's Beloved) Kashmiri/Pechanya/ (aunt)

K. 12. Vedic : Jyeshth Pitrivya+Ananya/Kashmiri/Jith Pechanya/ (Eldest Aunt).

K. 13. Vedic : /Madyam+Pitrivyat/Ananya/Kashmiri/manzim Pechanya/ (middle-aunt)

K. 14. Vedic : /Kaniseth+Pitrivya+Ananya/Kashmiri/Knus Pechanya/ (youngest aunt).

Same rule is applied on mother's sister-in-law.

K. 15. Vadic : /Matul+Ananya/ (Yajnavalkya-smriti-3,23 2) (Mother's brother's wife).

Kashmiri/Mamanya/ (Maternal Aunt).

K. 16. Vedic : /Pitrivya+Bharatri/ (Rig., 3.5.82/1.14) "Paternal Brother)" Kashmiri/Pitur-Boya/

K. 17. Vedic : /Pitrivya+Bhagini/ (Rig. 3.53.2, Yaska's nirukta-3/6) (Paternal-sister)".
Kashmiri articulation/Pitura-Beni/.

K. 18. Vedic/Pitrivya+Bhratri+Kakini/ (Rig 3.53.2, 1.16.4 "Kakini" Rudra Yamala tantra–" One who bestows nectar (Kakini Amrita Jevini) Modern Kashmiri/Piturbay Kakany/ (Paternal brother's wife).
Maharastri=/kaki/ (brother's wife)

K. 19. Vedic : /Matul/(Asvalayana-grihyasutri1.24.4)
Declension of vocative case/Mama/ (V. S. Apte's Sanskrit English Dictionary Vol. II p. 1263) "Maternal uncie.
Kashmiri articulation/mam/ The Kinship of maternal uncle side follows the same pattern.

K. 20. Vedic/Mam-ith-Bhratri/ (Yajnavalkya-Smriti-3.232, Rig. V. 1.164) "maternal brother" Kashmiri/mamutur-Boya/"maternal brother"

K. 21. Vedic/mam-ith-Bhagini/ (Yaska's Nirukta 3.6)
In Kashmiri language/mamutur-Beni/"maternal sister"

The kinship is expanded by using/Mam-ith/which denotes the maternal uncle's side.

K. 22. Vedic t (mam-ith-Jami/Kah/Mamutur-zam/(maternal-sister-in-law).
K. 23. Vedic : /Mam-ith-Bhratri-kakini/kash. /Mamutur-Bay-kakany) (maternal sister-in-law).

The maternal uncle's third generation extends on the same principle.

K. 24. Vedic : /Mamith-Bhratri-nicchiva/
Kashmiri/mamutur-Bay Sund-Nchuv/
(Maternal brothers son).

/Sund/post position belongs to Shourseni Prakrit, there it is used for oblative while in Kashmiri it is used for genitive

K. 25. Vedic : /mam-ith-Bhratri-Kumari/
Kashmiri/mamutur-Bay-Sunz-kur/. (maternal & brother's daughters /Sunz/Post Position as genitive in female gander

K. 26. /Matri Mouli-alaya/ (mother father's house)
Kashmiri/Malunya/.
(In Kashmiri prakrit/T/and/d/generally changed into/J/.

O. 27. Vedic : /Krevyada/Kashmiri/Kavuja/an appointed man of cremation ground.

O, 28. Vedic : /Matri/Kashmiri/Maj/ (Mother)

K. 29. Vedic : /Bratri-kakini/Kash /Bayikakuny/Sister-in-law" Or general term for brother's wife. The gradual development according to the Age-group.

K. 30. /Jyshth-Bhratri-Kakini/ "eldest". brother's wife "Kash/zithbaykakanya/.

K. 31. Vedic : /Madhyama-Bhratri-kakini /Kashmiri/ Mnzim-Baykakanya/ "middle brothers wife."

K. 32. Vedic : /Kanista-Bhratri kukini/Kash/Knus Baykakanya/ "Youngest brother's wife.

Same rule is applied for the formation of male gender.

K. 33. Kash/Zuth petur/eldest uncle.

K. 34. Kash/Manzum Petur/ (middle uncle)

K. 35. Kash./knus petur/youngest uncle.

K. 36. Vedic : /Matrishvasri/Panini Asthadhyayi 4.1.134 "Maternal Aunt"

O. 37. Bangla/Masim/

O. 38. Maharasthri/mavsi/

O. 39. Panjabi/Masi/

K. 40. Kashmiri/mas/

K. 41. Vedic : /Pitrishvarri/ (Panini 4.1.135)

O. 42. Bangla/Pisiwa/

O. 43. Sindhi/Pa/

O. 44. Panjabi/Phuphi/

O. 45. Kashmiri/Popha/ (father's sister)
The male gender is made by using/uva/suffix/.

K. 46. Vedic : /Masuv/ (maternal uncle or Husband of mother's sister).
/Paphuv/ (Paternal uncler or Husband of father's sister)

This will not be off the point to mention that the male-maternal uncle and male-peternal uncle is missing in vedic literature. But Kashmiri has retained its ancient farm, though phonetically tremondous change has occurred.

K. 47. (a) Vedic : Matrishvasri+Dhavh/
Kashmiri/Mas+Uv/ (Mather's Sister's Husband)

K. 48. (b) Vedic : /Pitrshvasri+Dhavn/
Kashmiri/Paphu+Uv/. (father's sister's husband)

The Linguistic expansion of three kin names will fellow the same rule.

K. 49. Vedic : /Matrishvasri+Bratri/
Kash./masatur+Boye/ (Maternal Brother)

K. 50. Vedic : Mastrishvasri+Bhagini/
Kash./Mastur+Beni (maternal sister).

K. 51. Vedic : /Matrishvasri+Bhagini+Ramanaka/
Kash./Masur+Beni (Hund)+Run/ (/Hund/see k. 24)
English/Maternal+sister's+Husband/

K. 52. Vedic : /Patrishvasri+Bhagini+Ramanaka/
(Paternal+sister's+husband)
Kash/Pophatur+Beni (Hund)+Run/(Hund/see k. 24)

K. 53. Vedic : /ouras+Bhratri/Rigveda 1.166.4-1
Sakuntala-7) "Step brother".
Kash. Vore+Boyi

K. 54. Vedic : /Auras+Bhagini/Yaska's Nirukt 3/6)
Kash./Vora+Beni/ "Step sister).
In Kashmiri/Ouras/is essentially used step kin-name relation.

K. 55. Vedic : [Aurasa +Mam/Kash/Vora mam/
(Step maternal uncle).

K. 56. Vedic : /Aurasa Mouli/Kash/Vora+mal/ "Step father."

K. 57. Vedic : /Aurasa Matri/kash/Vora maja/English/Step mother/-

K. 58. Vedie : Aurasa Necchivi/Rig. 8.93.22)
Kash./Vora nechuva/ "Step son"

K. 59. Vedic : /Garbha+aurasa/
Kash/Gobour/.
(Not particularly one's own son but used for any boy frequently)

K. 60. Vedic=/Bhratri+Putra/(Rig. 1.164.2)
Kashmiri/Bapathur/Nephew.

K. 61. Vedic : /Bagini+Patra/ (Yaska's Nirukt-36)
(Rigveda-2.29.5)
Kashmir/Benthur/Sister's son)

K. 62. Vedic : /Bhratri+Tanja/ (Rigveda 5.70.4)
(Yaska' s Nirukta 3/6)
Kash./Bevaz/ (niece; brother's daughter).

K. 63. Vedic : /Bhagini+tanuja/ (Yaska's Nirukta 3.6)
(Kash./Bavaz/ "Sister's daughter"

K. 64. Vadic : /Snusha/ (Rig. 10.86.13) "bride"

In Kashmiri linguistics generally frontal vowaless consonant/S omits. Kash. /Nosh/ (Bride)

K. 65. Vedic : /Smabandhin/ (Mahabharata 5.17.20)
"A relation by marriage"
Kashmiri/Sonya/ (bride's or bridegroom's father)
Kashmiri/Sonyenya/ (bride's or bridegroom mother)

K. 66. Vedic : /Vridha+Abha/ (Aitereya Brahman 3.48.9 and Kaskritsna Grammar).

The basic root is/Abba Janane/which means originator, race, lineage and father. In Sanskrit language the common word for grand-father is/Pitamaha/which denotes greater than father. But in Kashmiri proto-vedic form is adopted for this kinname which means "Old originator of the family.

Kashmiri/Budi+Bab/ (grand-father)

K. 67. Vedic : /Nana/ (Rigveda 9.112.3)

In Rigveda/Nana/is registered for mother but the ancient must have remained for grand-mother. The new-Indo-Aryan languages of India have retained this kin-name with slight classification in respect of maternal and paternal relations vis,/Nana-Nani / grandma and grand-pa of maternal side). and/Dada-Dadi/ (Grandma and grand-pa of paternal side. But in Kashmiri it is some how different, the paternal grandma is classified, if it becomes necessary other -wise not, /garucha+Nannya/whose origin is/Griha+ith+Nana/(belongs to paternal home) while the maternal grand mother is known as /Matamalucha+Nanya/which is the broken form of/Matri-+Mouli+ Ayana/ (belongs to mother's fathers house).

K. 68. Vedic ; Avarin+jaya/ (Rigved 10.34.2.3).
/Avarin/means a degraded or a consured women.

Kash./Voruz/ (a women who marries after the death of her husband. Generally such marriages are not considered socially good.

K. 69. Vedic : /Sapatni/ (Rigveda 3.1.10) (Co-wife)

(In Kashmiri linguistics/P/has chunged into/V/and only/N/in retained out of/tni/.

Kash./Svon/ (Co-wife)

K. 70. Vedic ; /Poutra/ (Atharvaveda 9.5.00, 11.7.16) "grand-son" Kash./putur/ (Grand son)

K. 71. Vedic . /Naptri/ (Samaveda 5.13, (Aranyagan) "grand-daughter".

In Kashmiri/Nap/is omitted and/tri/is changed into/Jri/Kashmiri /zura/.

K. 72. Vedic : /Jamatri/ (Rigveda-8.2.2.) "Son-in-law" Kash./Zamatur/. (Son in law)

(In Kashmiri prakrit/Ri/changes into/tur/.

K. 73. Vedic : /Shashur/ (Rigveda 10.86.13) father-in-law."

In Kashmiri Prakrita vowelless consonent usually omits in case it is in front of the word.

O. 74. Vdic : /Sphot/Kashmiri/Phut/ (Broken).

O. 75. Vedic ; /Sphorun/Kashmiri/Phorun/ (trob of eye)

This front/V/of the/Shrashru/is omitted and/Sh/is changed into/H/. Kashmiri/Hihuru/ (father-in-law).

K. 76. Vedic : /Shrashru/ (Rigveda : 10.85.46, 1034,3).

The linguistic development is almost same as already seen in /Hihura/ (father-in-law).

Kashmiri/Hasha/ (mother-in-law).

The in-laws kin-names follow the same principle.

K. 77. Vedic : /Pitrivya+Shvashri/ (father-in-law's brother). Kashmiri/Petru Hihur/

K. 78. Vedic : /Pitrivya Shashru/ (father-in-law's brother's wife) Kashmiri/Petru Has/

The following three terms indicate Age-wise chronology :

K. 79. Vedic : /Jyosth/Kashmiri/zath/ (eldest)

K. 80 Vedic : /Madhyama/Kashmiri/Maazim/ (middle).

K. 81. Vedic : /Kanitha/Kashmiri/Knus/ (Youngest).

Euphonic combination of allomorph is framed like this.

K. 82. Vedic : /Jyosth+Pitrivya+Shrashura/Kashmiri/Zuth+Petru+Hihur/ (father-in law's eldest brother).

K. 83. Vedic : /Jysth+Pitrivya+Shvashru/
Kashmiri/zith+petri+Has/
(father-in-laws eldest brother's wife)
The other forms adopt the same rule.

K. 84. Vedic : /Matrisvasri+Shrashurer/
Kash./Masu+Hihur/ (mother-in-laws sister's husband)

The Age-wise gradation follows the same pattern i.e. /zuth/ (eldest). /Manzum/ (middle) /Knus/ (youngest),.

K. 85. Vedic : /Matrisvasri+Shashru/Kashmiri/Masu+Hash/

K. 86. Vedic/Patri+Shavsri+Shashru/
Kashmiri/Pephu+Hihur/ (father-in-laws sister's husband).

K. 87. Vedic/Pitrishavsri+Shavashru/
Kash/Pephu+Has/ father-in-laws sister).

The Age-wise grouping as classified in three forms/Zuth/ (Eldest)/Mnazim/ (Middle) and/Knus/ (youngest)

K. 88. Vedic/Shyalah/Rigveda 1.00. 1.109.2) Kashmir/ (brother-in-law)/
Sh/changes into/H/and/L/changes into/R/

K. 89. Vedic : /Shyalh Bharya/
Kas./Haharu Bayi/ (brother-in-laws wife or wife's brother wife

K. 90. Vedic : /Shyale/ (Appati Sanskrit D. Part 11. 1672)
(Rigveda-1-109.2).
Kash./Sala/ (wife's sister).

K. 91. Vedic : /Syali+Dhava/ Appetis Sanskrit. Part III 1672)
(wife's sister's husband)
(In Kashmiri/L/usually changes into/J/see No : 7
Kashmiri/Sajuv/ (wife's sisters husband).

The Constitutional Development of Jammu and Kashmir State

(SYNOPSIS)

—Prof. R. K Kaul Bhat

THE three regions of Jammu, Kashmir and the Ladakh frontier that constitute the present State of Jammu and Kashmir, were for the first time united in a single political entity by Maharaja Gulab Singh of Jammu in 1846. Gulab Singh was a Dogra of Jammu who joined the Lahore Court in 1809[1]. His military capacity soon distinguished him from the ranks and earned for him the great favour of the Sikh monarch Ranjit Singh. In 1820, Ranjit Singh granted him Jammu principality and the adjoining hill tracts in Jagir[2]. Gulab Singh held Jammu in form for twenty six years, utilising most of his time in extending his possessions. He subdued the neighbouring chiefs one after another and annexed their territories in his fief[3]. After the death of Ranjit Singh, he adopted a more aggressive course and while the Sikhs were fighting each other he annexed Ladakh and Baltistan and by 1844 almost encircled the Valley of Kashmir[4]. The valley had come under the Sikh sway in 1819, and was ruled by Sikh Durbar directly Governors being appointed for the purpose. Gulab Singh waited for an opportunity to claim it. This, he got when the first Anglo-Sikh war broke out[5]. During this Sikh war Maharaja Gulab Singh helped the Britishers in distintegrating and defeating the Sikhs[6].

This proved the undoing of the Sikhs and paved the way for the founding of the Jammu and Kashmir State. The victory in the war gave to the English the territories between the Sutluj and the Biyas and a claim to £ 1,50,000 as war indemnity. Such a huge indemnity was, however, unacceptable to the Sikh Prime-Minister Raja Lal Singh. He offered the territories of Jammu and

1. J. D. Cunningham, History of the Sikhs, p. 1.
2. Pankar K. M, Gulab Singh, p. 31.
3. Ibid, p. 37.
4. (i) Bamzal P. N. K.: History of Kashmir, p. 595. (il) Hasrat Bikramjeet; Anglo Sikh papers, p. 117.
5. (i) J. D. Cunningham, History of the Sikhs, p. 217.
   (ii) Sir Elaude Wade; Narrative of Services, p. 33
6. R. C. Majumdhar, British Paramountacy and Indian Renaissance, p. 260.

Kashmir instead. The idea was to ward off the indemnity as well as to deprive Gulab Singh of his possessions. Lal Singh was an arch-enemy of Gulab Singh and had old accounts to settle with him. The English on their part were reluctant to accept the offer for the territories offered were too far to be effectively controlled by them in the face of the Sikh hostility[7]. Also the Britishers believed in ring fence policy and were avoiding any direct confrontation with Russia. Gulab Singh offered to make good the indemnity if these territories were transferred to him in independent possession[8].

The Dogra-chief besides being a capable military general was a shrewed statesman. He had seen the way the Sikh Durbar had drifted after the death of Ranjit Singh. He had realised the significance of the rising strength of the British from the point of view of his position and that of the Sikh Durbar. As a matter of fact, he had much to fear from the Sikhs[9]. They had shown little regard for him after the death of Ranjit Singh. More than once they had attempted to deprive him of his dominion[10]. The British power, gnawing at the southern borders of the Sikh empire, Gulab Singh could foresee his emanicipation from the Sikh hegemony and a deterrent to its domineering might. His strategy lay in cultivating the friendship of the English and at the opportune hour to strike to secure his safety from the tottering yet formidable Sikh empire.

The British who had found the Sutlej Compaign much more difficult than they had anticipated and the Sikh power much more formidable than they had imagined it to be[11], were on look out for a breach in the Sikh empire and seized the opportunities. On 18th of March, 1846 the Treaty of Amritsar was signed. Kashmir with the districts of Ladakh and Gilgit was ceeded to Gulab Singh and he was recognised as an independent ruler both by the English and the Sikhs. "In consideration of the transfer made to him, the Maharaja Promised to pay to the British Governme nt seventy five lakhs of Nanak Shahi' rupees.[12]. The Maharaja failed to take the possession of valley from the then Sikh Governor, Imam-u-Din who defeated the Dogras in a battle at the foot of Shankracharya hill. On hearing this Gulab Singh appealed to the British for help

7. R, C. Mujamdhar, Modern Indian p. 185.
8. Pankar, K. M. Gulab Singh, p. 98.
9. Cunningham J. D., Edited by H. L. C. History of the Sikhs Garret, pp. 240-42.
10. Stienbach Lt. Col. The Punjab being a brief account of the country of sikhs. pp. 25-40.
11. Cunningha, J. D. History of the Sikhs, Ed. by H. L. C. Garet, p. 268 and p. 278.
12. Treaty of Amritsar: Article 3.

and force was despatched under Sir Law erence[13], who handed over Kashmir to Gulab Singh. The confusion and chaos of Lahore Durbar had resulted in the negligence and cruel rule of the Sikh Governors in Kashmir.

EARLY DOGRAS :

Gulab Singh was now faced with a stupendous task of consolidation of Government. The territories that had come into his possession had never before been united under one ruler. As a matter of fact, except for the valley of Kashmir, no other part of these territoties had ever known a settled govarnment. The lack of continuity in the past and diversity of population, climate and cultures and political institutions made the task more difficult. Gulab Singh settled down to the task with determined efforts. Rebellion was put down with a stern hand and order was restored in every part of the country[15]. The administration of Kashmir province called forth all the statesmanship of the Maharaja. Once a powerful and prosperous kingdom, Kashmir lay ruined by five hundred years of misrule and political turmoil.

Centuries of suppression and slavery had robbed the country of all vestiges of stability and civilization[16]. A regular law and order machinery did not exist. Its place had been usurped by prosecution and oppression. In the later days of the Sikh administration the State of affairs had deterriorated further[17]. The Maharaja took immediate and effective steps to restore law, order and security in the province.

Gulab Singh's rule was, however, bitter less than despotic. All the powers of the government and justice were concentrated in the hands of Maharaja.

He was the ultimate law-giver, the supreme head of the executive, the commander of the troops and the final arbitrator of justice. All that the Maharaja willed was law and all that he prohibited was crime. Infact, Gulab Singh "brought the principle of a personal rule to perfection, and showed the people that he could stand by *himself.*[18]

13. (I) Bamzai P. N. K. History of Kashmir, p. 654- (ii) The friend of India ; No. 615, Vol. XII Oct. 15th 1846 (Avallable at National Library-Calcutta, Newspaper section, Home Department Esplenade Calcutta.
14. R. K. Koul, Dogra Brothers and the Fall of the Sikh Empire, p. 95.
15. Lawrence, Sir W. R. The India We served, p. 125.
16 Moorcraft, William. Travels in Himalayan Province Vol. II, Part III, pp. 293-94.
17. Vigue, G. T, Travels 1842 Vol. I, p. 308.
18. Lawrence, Sir W. R; Valley of Kashmir p. 202.

In February, 1856 the Maharaja relinquished his throne, crowned his son Ranbir Singh and moved down to Srinagar where he established his headquarters as the Governor of the Kashmir Province[19]. Ranbir Singh exibited great enterprise for administration. The administrative set up was reorganised into three departments viz, revenue department, civil department and the military department. Each deptt. was put in charge of a minister. The ministers functioned under direct instructions and control of a Maharaja and were responsible to him alone. Amongst Ranbir Singh's achievements the most notable was the introduction of a uniform legal system in the State and the establishment of regular courts to administer justice. He got a penel codes, "Ranbir Daudh Bidhi" based on the Indian Penal Code promulgated in the State. Law regarding criminal procedure and Civil procedure was codified and consolidated. The Maharaja however, continued to be the final arbitrator of justice. "Justice was inexpensive and it required only half a rupee worth of stamps to have a case heard by the Maharaja. He would examine and sharply examine the witnesses and often refer matter to a magistrate for investigation[20]. Indeed the administrative structure was still indiginous and continued to be broadly based on the personal rule of the Maharaja.

THE BRITISH INTERVENTION :

Under the Treaty of Amritsar the territories of Jammu and Kashmir were transferred over, for ever in independent possession to Maharaja Gulab Singh and heirs male of his body". However, Article X of the treaty stipulated that the Maharaja recognised the supremacy of the British and in consideration of that agreed to pay a yearly tribute to the British Government and in token of such supermacy present annually to the British Government one horse, twelve shawl-goats of approved breed (six male and six female) and three pairs of Kashmir shawls.[21]. For sometime the British followed faithfully the stipulations of the treaty and left the Maharaja to himself. But after the second Sikh war, which saw the complete disitegration of the Sikh Power, was over, the Engllsh attitude towards the Maharaja stiffened. In 1848, Lord Harding wrote to the Maharaja that the nature of his internal administration aroused misgivings in the minds of the British Government and on that ground claimed the right to appoint a British Resident in the State[22]. The Maharaja stoutly refused to any such proposal pointing out that there was

19. Dewan Kripa Ram ; Gulab Nama, p. 85.
20. Bamzal P. N. K, History of Kashmir, p. 613.
21. Treaty of Amritsam, Art. X.
22. Panikar, Sardar K. M., Gulab Singh, p. 132.

no provision in the treaty of Amritsar which gave authority to the British to appoint a Resident in the State[23]. *But in spite of protests from him an officer on special duty, was thrust on* him. The officer on special duty, was placed under the immediate orders of the Government of India and the Maharaja was directed to address all communications to to Government of India through him.

Maharajà Ranbir Singh was replaced by his son Pratap Singh in 1885. Thereafter the British policy assumed a more aggressive character. In1889, on the charges of plotting against the Crown the Maharaja was stipped of his powers[24] and council composed of Sir Amar Singh, the younger brother of Maharaja and four other members appointed by the Government of India, was entrusted with the task of the administsation. The council was to function under the direct surveillance and control of the Resident. The Resident assumed final authority on all matters and was reserved the powers of the veto in regard to the decisions of the Council[25].

Soon, however, it came to the surface that allegations brought against the Maharaja were false. The Maharaja protested against the treatment he had received at the hands of the Government of India. A stir ran through the Indian princely order. The issue went to the House of Commons and some of the members there defended the Maharaja[26]. A long controversy ensued. Finally the British attitude softened and the Maharaja was offered the Presidentship of the Cuuncil[27] which he readily accepted[28]. That, however, gave him little authority over anything. He continued to be less than even a figurehead. In a letter dated 29 January, 1895 to the Residency Vakil, he wrote I am supposed to be no factor in the machinery of the State and nobody cares for me". In another letter dated 6th September, 1895 he again wrote I am not even allowed to sign papers for the Resident I cannot even appoint a Tehisildar[29].

In 1896, a further concession was given to him and he was empowered to send for proceedings of the Council and if he did not agree with any of the decisions or the orders of the Council, he was empoweied to refer it back to the Council[30]. In 1905 the

23. Jogendra Chandra Bose: Kashmir and its prince, p. 85.
24. File 80/98 dated April 18889 section E Foreign Deptt. (N.A.I.)
25. Bamzai P. N. K. History of Kashmir p. 625.
26. William Digby Condemn Unheard p. 270.
27. File No. 91/89 p, 65 dated March 1802 section E Foreign Deptt. (N.A.I.)
28. Kashmir Government Records File No. No. 48 of 1892.
29 Kashmir Government Records File No. 1 of 1892.
30. File No. 209/222 dated January, 1396 Section B, Fereign Deptt. (N.A.I.)

Maharaja secured a more substantial set of concessions. The Council was *abolished* and the Maharaja was given the authority o appoint a council of Ministers to aid and advise him in the conduct of the administration[31]. The Council was to consist of a Chief Minister and three other Ministers. The Ministers were to send the cases and their abstracts of the Maharaja through the Chief Minister[32]. The abstract of the orders and their disposal was also to be sent to the Resident for approval[33]. In the exercise of their powers the Maharaja and the Council were also put under certain restrictions. Those were:

a) the advice of the Resident was to be followed whenever offered;

b) the budget was to be prepared in consultation with the Resident;

c) no resulation of the former Council was to be cancelled or modified without the previous permission of the Resident; and

d) appointments of all important officials were to be made after consulation with the Government of India.

In 1920, the Maharaja, now at the fag-end of his life appealed to the Viceroy for the restoration of his powers taken away from him in 1889 and partly restored in 1905. The Viceroy demanded in return an undertaking to the effect that Maharaja would seek the advice of the Resident in all imporatant administrative matters. On the insistence of the Maharaja that such an undertaking would take away with one hand that he was given with the other. The viceroy reduced the terms of the undertaking to include only matter regarding the frontier administrative changes. The Maharaja accepted the conditions and he was restored his powers in 1921[34]. In 1924 the Maharaja appointed as executive Council of five members with himself as its President. The council was entrusted with the administration of the State Maharaja, retaining his inherent powers of veto and control[35].

Experiment with Constitutional Government.

Pratap Singh was succeeded by his nephew Maharaja Hari Singh. The new rular found himself in an atmosphere pervaded by consi-

31. Document relating to the abolition of State Council and reorganisation of Chief Ministers office etc. 1905 State Archives Jammu Depository.
32. File No. 12/13 p. 25 dated Feb. 1907 section I Forein Deptt. (N.A.I.)
33. Kashmir Government Records File No. 90 C. in block C of 1905.
34. Kashmir Government Records, File No. 104 Block C of 1921.
35. Ibid File No. 239 10 Block C of 1924.

derable enthusiasm for political and constitutional reforms on the Subcontinent. Inside the State also an awakening was beginning to come up. Hari Singh was a man of intelligence. With the assumption of the throne he initiated a vigorous policy of reforms. Right on the occasion of his Raj-Tilak, he announced the grant of various rights and concessions to his subjects. Immediately after, reforms were introduced in Police organisation, revenue administration and several other Civil Administrative Departments. A constitution was promulgated in March, 1927 under which Civil administration was entrusted to a council of six Ministers. The Maharaja presided over the Council[36]. A special investigation Committee was appointed to recommend reforms in financial administration of the State, the administrative organisation of various other department and recruitment of the State service. An Anticorruption Commission was appointed to enquire into the cause of the corruption in Government offices and reeommended ways and means to eradicate it. In March, 1928 the Maharaja appointed a High Court of Judicature for the State.[37]

Simultaneously the public opinion was gradually getting organised in the State and movements for greater economic opportunity, security, political liberty and social justice were gathering support. The crude depotism, disorder and corruption that characterised the reign of the early Dogras had sown many seeds of discontent, and resulted in State wide unrest[38].

These were beginning to sprout in trouble[39]. Inspite of his best efforts thc Maharaja could not stem the tide of this seething unrest. The year 1931 opened with regular agitation against the Dogras. The "All Jammu and Kashmir Muslim Conference" as a Muslim Organisation which sought to uphold and protect the rights of Muslims in the State, played a leading role in the agitation. Unfortunately, communal influences inspired by Muslim communalism in Punjab worked their way into the agitation and it wasted itself on communal coflict[40].

The agitation, however, created a deep impression on the Maharaja. After a shot span of repression, the Maharaja swung back to a more rational and positve attitude. A Commission of Enquiry later called the "Glancy Commission" was appointed to investigate into the causes of the agitation (unrest) and examine

36. A note on J and K State, 1928.
37. Ibid.
38. Bazaz P. N. Inside Kashmir p. 24.
39. Ibid p. 84.
40. Report of Srinagar-Riot Committee.

the grievances of the people[41]. While the investigation of the Glancy Commission were in progress, a Constitutional Reforms Conference was convened by the Government to examine the issue of further constitutional reforms[42]. Already a Franchise Commission had been appointed to explore the possibilities of establishing legislative assembly and the grant of the right of franchise to the people.

In accordance with the recommendations of the constitutional Reforms Conference and the Franchise Commission, the Jammu and Kashmir Regulation No. 1 of 1934 was passed by the Maharaja. The Act provided for the establishment of an Assembly, to be called, the Jammu and Kashmir Praja Sabha. The Assembly was to consist of 75 members of whom 33 were to be elected[43]. Franchise carried high qualifications and only six percent of the people became entitled to vote[44]. The Sabha was empowered to ask questions, introduce resolutions and legislate on such matters only as were specified for its purview. Power to legislate with regard to the rest was reserved by the Maharaja for himse'f. The Sabha was also empowered to discuss the State budget but vested with no powers to spend any portion of the revenue[45].

In the beginning of 1935 the leadership of the All Jammu and Kashmir Muslim Conference, which has now grown into the biggest political organisation in the State, was convassing support for the broadening of the scope of the Conference. A large section of its leadership strongly advocated for the inclusion of non-Muslims in the Conference. Much of the resentment having died down, the futility of communal conflict had come to the surface now. Its sole field was the institution of a powerless assembly, though it had sown deep seeds of prejudice and distrust in the public mind. In 1938, in a convention held at Jammu the Conference adopted a resolution demanding 'Responsible Government[46] and invited the non-muslim population of the State to join it. A year after, in another convention held at Srinagar, the Muslim Conference was formally converted into 'National Conference'[47].

41. On 12th November, 1931 Maharaja Hari Singh appointed Sir B. J. Glancy of the Foreign and Political Deptt. of the Govt. of India as the Chairman of the Commission scheduled to got into the grievances of the people.
42. Report of Kashmir Constitutional Reforms Conference, 1932 p. 2.
43. Regulation No. 1, Sec. 14 and 17.
44. Election Regulation No. XIV of 1933, J & K Praja Sabha Election Rules.
45. i) A Note on the administration of J & K State 1934.
ii) B. J. Glancy: Report on the Kashmir Constitutions 1 Reforms Conference, 1932,
46. Presidential address of Muslims Conference, Jammu Session 1938.
47. Ibid Srinagar Session 1939.

On September 7,1939 the Maharaja ordered the repeal of the Regulation No. 1 of 1934 and promulgated the Constitution Act of 1939. Under the provisions of the Act, the Executive authority continued to be vested in the Maharaja[48]. In civil administration the Maharaja was to be assisted by a council of Ministers. The Prime Minister was to be the president of the Council. The Council was to hold office during the pleasure of the Maharaja and was responsible to him alone[49]. The Council was empowered to promulgate orders and ordinances in case of emergencies and when immediate legislation necessary[50].

The legislature of the State was to be constituted of the Maharaja and a Chamber to be known as the Praja Sabha.[51] The Praja Sabha was to consist of 75 members, 40 of whom were to be elected and the rest to be nominated by the Maharaja[52]. Of the elected members, 7 were to be elected by special constituencies representing Tazimi Sardars, Jagirdars, Land holders owing land assessed to land revenue exceeding Rs. 250/- per annum and pensioners receiving Rs. 100/- or more as pension per month[53]. The tenure of the Sahba was fixed at 3 years. The Sabha was empowered to legislate on all matters except those which related to the Maharaja and his family, relations with the State; treaties conventions and agreements between the State and the British Government or any other foreign power, frontier policy including that relating to Gilgit and Ladakh; Jagirs of poonch and Chinani, the rights and privileges of the 'Jagirdars' and Illaqadars; organisation and conrol of State forces; Mazoor Department, Dharmarth Trust and the provisions of the constitution Act itself. The Maharaja also reserved the right to specify such other matters as he would deem fit to be excluded from the purview of the Sabha[54]. The annual State budget was to be laid down before the Sabha by the Council. Any financial bills which sought to impose, increase or reduce taxes, regulate the borrowing of money, giving of any guarrantees by the Council and declaring any expenditure to be the expenditure charged on the revenue of the State was not to be introduced or moved in the Sabha without the previous sanction of the Prime Minister.

48. Constitution Act, 1939 Sec 5.
49. Ibid Part III.
50. Ibid Act 12 part II p 3.
51. Ibid 1939 part III.
52. Ibid part 14 part III p 5.
53. Ibid part IV p 21.
54. Ibid

Provisions were also made under the Act for the establishment of a High Court. It was to consist of a Chief Justice and two or more other judges. The Chief Justice as well as the judges were to be appointed by the Maharaja himself. The high Court was vested with orginal jurisdiction over all civil suits of which the valued exceeded Rs. 10,000 and appellate jurisdiction over all civil and criminal suits[55].

The Constitutions Act also provided for the appointment of a Board of Judicial Advisors. The Board was to be composed of as many members as the Mahahraja would appoint from time to time. The Board was to advise the Maharaja for the disposal of such civil and criminal appeals from the decisions of the High Court and with regard to such matters as the Maharaja would choose to refer to the Board for advice.

In 1942, the Maharaja got another Commission of enquiry appointed to review the working of the Constitution[56]. Rai Bahadur Ganga Nath, the Chief Justice of the State High Court and the Chairman of the Commission was asked to make recommendations to secure "the safety, integrity and security of the State, and for the efficient and progressive character of its administration. The Commission was also asked to recommend measures with regard to:

1) the increasing representation of the State subjects in the administrative services;
2) the development of the economic resources of the State and its people leading to a higher and healthier standard of living;
3) adoption of measures to eliminate corruption;
4) rural uplift and
5) economic rehabilitation of the Frontier Districts of Ladakh and Gilgit.

The Commission invited various political organisation in the State to send their representatives to participate in its deliberations. The deliberations of the commission were, however, protracted and irregular as a result of which much of the enthusiasm with which it had commenced work, died down. The National Conference which also had sent its representative to participate in the work of the Commission, recalled its representatives from the Commission.

In 1945, the Maharaja by proclamation offered to point two Ministers of the Council from amongst the elected members of the Sabha[57]. The aim was to send up a diarchial system of Government.

55. Constitutional Act 1939 Art 48 part IV.
56. Command Order dt. 12-7-1943.
57. Ganga Nath Commission Report Chapter XXI p 468.

In October, 1945, the ministers were duly appointed. One of the Ministers was from National Conference. As was anticipated the diarchy did not work. The popular Ministers had little power to do anything. The Composition of the council and the position of the Prime Minister in it actually rendered them impotent. The National Conference Minister resigned from the Council only after a year's stay there[58]. In 1946, the Conference launched the historic Quit' Kashmir movement and demanded the dissolution of the Dogra autocracy. Unrest had been brewing in all along the State after 1931. Revolt flared up everywhere. The Maharaja met it with a sudden and severe policy of repression[59]. The leaders of the National Conference imprisoned and an imposed cabu was restored in the State.

PARTITION AND AFTER

The partition of India shattered this imposed Cabu. With other Indian princely State, Jammu and Kashmir was also released from the British paramountcy. The princes were left free to decided their relations with the two dominions and to acceed to anyone of them. The Maharaja made no such decision. Instead he offered a stand-still agreement to both India and Pakistan.[60] The Government of Pakistan accepted the agreement. The Government of India advised the Maharaja to send his Prime Minister or any other Minister duly authorised to negotiate a stand-still agreement at Delhi. Soon, however, Pakistan changed its attitude and adopted a more aggressive policy to force a decision regarding accession on the Maharaja. The State was blockaded, supply of Petrol, foodgrains, kerosine oil, salt and other commodities was cut off. The Second line of communication was Pir Panchal Road which connected the provinces of Jammu and Kashmir. But this road was not used for any trade link.

This created an economic crisis in the State. On 22nd October, 1947, Pakistan sent hoards of barbarous men of N. W. F province, demanding subsidiary from Pakistan which they used to receive from the British Government in India before partition to invade Jammu and Kashmir[61]. These were followed by regular Pakistan Army. The aim was to annex Kashmir by force Maharaja Hari Singh had an insufficient army and the raiders had not difficulty in comming upto the out skirts of Srinagar and in taking the control of Poonch, Mirpur and Bimber in Jammu province.

58. Bamzai P.N.K History of Kashmir p 668.
59. Hazaz P. N. History of struggle for freedom in Kashmir p 225.
60. Sir Zaffarullah Khan: Secretary Council Official Records 229th meeting p 101.
61. Bamzai P. N. K. History of Kashmir p. 676.

The whole Government was paralysed. Maharaja Hari Singh hurriedly released Sheikh Abdullah and other National Conference Leaders. Sheikh Abdullah was asked to form the National Government and to raise the popular resistance against the Pakistan invasion. On the initiation of Sheikh Abdullah Maharaja Hari Singh started dialogue with India and ultimately signed the instrument of accession with India. The relation between the State and Union was to be governed by a special clause of the Indian constitution "Limited". It gave India control over the Defence, Communication and Foreign Affairs of the State. The Maharaja issued a proclamation for convening a Constituent Assembly for the purpose of framing a constitution[62].

In July, 1950, the Maharaja delegated his powers to his son Yuvaraj Karan Singh and himself left the State. In April, 1951 the Yuvaraj by a proclamation ordered the convening of a Constituent Assembly[63]. Elections to the Assembly were held in September. The Assembly was inaugurated in October, 1951.

On 20th November, 1951 the Assembly amended the Constitution Act of 1939 and stripped the Maharaja of most of his powers[64]. Under the amending Act, the legislative powers were vested with the Constituent Assembly untill other provision were made by or in accordance with a law made by the Constituent Assembly. The executive powers which continued to be vested in the Maharaja, were to be exercised by him on the aid and advice of a Council of Ministers. The Council was to be collectively responsible to the Assembly. The Maharaja was thus reduced to the position of a nominal head.

In June, 1952, the Basic Principles Committee of the Constituent Assembly, which had been asked to make a report on the future of the hereditary rule of the Dogras, recommended its abolition and proposed the replacement of the Maharaja by an elected head af the State. These recommendations were adopted by the Constituent Assembly on June, 12, 1952 in the form of a resolution. Accordingly to the resolution the Head of the State was to be elected by the Legislative Assembly of the State and confirmed in his office by the President of India. The Head of the State shall be a person recognised by the President of the Indian Union on the recommendation of the Legislative Assembly of the State. The recommendation of the Legislature in respect of recognition of the Head of the state shall be made by election, ordinarily the Sadar-i-Riyasat' was to remain in office for a term of five years.

62. Proclamation of H. H. the Maharaja Bahadur dated 5th March, 1948.
63. Prollmation dated 20th April, 1951.
64. Act. No. XVII of 1951.

He was to exercise, such powers and perform such functions as may be preseribed in the constitution to be framed by the constituent Assembly, and untill such constitution was framed by the Constituent Assembly and untill such constitution was framed he was to exercise such powers as were vested in the Maharaja under the Constitution of 1939 as amended by the Constitution Act of 1951. The hereditary rule of the Dogras was abolished in November, 1925.[65] Yuvaraja Karan Singh was elected the first Sadar-i-Riyasat of the State.

IN THE FEDERAL STRUCTURE

The instruments of Accession signed by the Maharaja stipulated the transfer of three subjects i. e. Forign Affairs, Defence and Communications to the Union Government. The Maharaja reserved the residuary powers to himsef. Any further adjustments in the respective spheres of authority of the Union Government and State Government were to be determined by subsequent agreements between the two Governments. Accordingly when the Constitution of India was framed in 1950, special provisions were included in it from the Jammu and Kashmir State.[66] Under these provisions the Parliament was empowered to legislate for the State in regard to those matters in the Union list and the Concurrent List, which in consultation with the Government of the State were declared by the instrument of Accession. The other provisions of the Constitution were to apply to the State with such exceptions and modifications as the President would in consultation with the State Government specify from time to time.

Need had, however, been felt slight after the accession of the State for a more rational adjustment of the division of powers between the two Governments. Besides considerable public opinion had come to favour the extension to the State, of the provisions of the Constitution of India regarding Citizenship, Fundamental Rights and the jurisdiction of the Supreme Court of India. The feeling was widespread that the people of the State were deprived of the rights and liberties available under the Constitution of India.

The issue was taken up by the Constituent Assembly of the State in June, 1952. Shortly afterwards, a delegation of the members of the Assembly was sent to Delhi to discuss the issue with the Government of India. A fresh agreement, later called as the "Delhi Agreement" was arrived at between the two Governments regarding

65. Act No. XV of 1952.

66. The Constitution of India, Article 370.

the residuary powers that would vest in the State, the flag of the State, the position of the President of the Republic, Citizenship, Fundamental Rights, Jurisdication of the Supreme Court, Financial Integration and application of the State of emergency powers of the President. The agreement could not be implemented due to the political crisis preceding to the dismissal of Sheikh Abdullah from office.

After the reshuffle in the Government in August, 1953, the Basic Principles Committee and the Fundamental Rights Committee of the Constituent Assembly of the State conducted joint deliberations for about a month in order to define further the division of powers between the Central Government and the State Government. The decision taken were placed before the Constituent Assembly in February, 1954. The Assembly conveyed its recommendation to the Government of India and on 14th May, 1954, the President of India issued the constitution (Application of Jammu and Kashmir) order 1954[67].

The following provisions were interalia under the order:

a) Provisions of the Constitution of India regarding citizenship were extended to the State.

b) Provisions of the Constitution of India regarding Fundamental Rights were also extended to the State Subject to such restrictions as the Legislature of State deemed reasonable. Besides, no law with respect to preventive detention made by the Legislature of the State before or after thc commence-ment of the Constitution (Application to Jammu and Kashmir State) order was to get nullified on the grounds that it was inconsistent with constitutional provision regarding the Fundamental Rights. However any such law was, to the extent of such inconsistency, to cease to have effect on the expiration of five years from the commencement of the order.

3) The rights to make special provisions with regard to the agrarian and economic policy, and in respect of socially backward classes were reserved for the State Legislature.

4) Rights to legislate with regard to the permanent resident of the State, their rights and privileges in respect of employment under the State Government, acquisition of immovable property in the State and settlement in the State were also reserved for the State Legislature.

67. G. O. No. 48 dated 14th May, 1954 Published in Gazette of India Extraordinary dated 14th May, 1954.

5) The application of the constitution of India with respect to Emergency Powers of the President of India were also made applicable to the State with the exception that no proclamation of Emergency made by the Union Government on the grounds of 'internal disturbances or imminent danger thereof, could have effect in relation to the Jammu and Kashmir State unless it was made at the request of or with the concurrence of the State Government.

6) The provisions of the constitution of India regarding official languages were also extended to the State. These provisions were however, restricted to:

i) Official languages of the Union.

ii) official languages for communication between the State and other States or between the State and the Union.

iii) The languages of the proceedings in the Supreme court.

The Constitution (Application to Jammu and Kashmir) order 1954 lay down the basic framework of the relationship operating between the Union Government and the State Government. Some further amedments and modifications have now been undertaken and the provision of the Constitution of India regarding financial intergration, jurisdication of the Supreme Court, jurisdictihn of the Election Commission have also been extened to the State.

MARKING OF THE CONSTITUTION

Meanwhile, the Constituent Assembly of the State had appointed a Drafting Committee to prepare a preliminary Draft Constitution The drafting Committee completed its work in October, 1956. The draft Constitution was taken up for discussion on 10th October, It was adopted by the Assembly on 17th November, 1956. This Constitution is in forced in the State at present.

In its preable the Constitution re-affirms that the State is "an integral part of the Union of India." The system of division of powers by the Presidential order, 1954, are incorporated in Article five of the Constitution reads; The excutive and legislative power of the State extends to all matters except to those with respect to which Parliament has power to make laws for the State under the provisions of the Constitution of India[68].

The Constitution vests the executive authority in the 'Sadar-i-Riyasat[69]. The Sadar-i-Riyasat is elected by a majority of the total

68. Constitution of Jammu and Kashmir part V.
69 Ibid art 26 (2) part V.

members of the Legislative Assembly and is confirmed in his office by the President of India. He hold his office during the pleasure of the President; ordinarily he is elected to the office for a term of five years, In the execution of his functions the Sadar-i-Riyasat' is aided and advised by a Council of Ministers which is headed by a Prime Minister[70] in all functions except those pertaining to the appointment of the Prime Minister and other Ministers and Deputy Ministers and the proclamation of a State of emergency in case of the breakdown of constitutional machinery of the State. The council of Ministers is collectively responsible to the Legislative Assembly.

The Legislature of the State is composed of the 'Sadar-i-Riyasat. a Legislative Assembly and a Legislative Council[71]. The Legislative Assembly is composed of one hundred members chosen by direct election and on the basis of adult sufferage. 25 seats in the Assembly are left vacant for the people of the areas still under the occupation of the Pakistan. The Legislative Council is Composed of 36 members of which 11 are elected from Jammu and 11 from Kashmir including Ladakh, six members are nominated to the Council by Sadar-i-Riyasat to secure representation of socially and economically backward classes and persons having special knowledge or practical experience in the fields of literature, science, art, cooperative movement and social service. The rest are elected by local bodies, teachers, constituencies etc[72].

Due emphasis is laid by the Constitution on the need to ensure separation of the judiciary from the executive[73]. The High Court is the highest tribunal of justice and two other judges. The Chief Justice as well as the other Judges are appointed by the President of India after consultation with the Chief Justice of the Supreme Court and the Sadar-i-Riyasat (now Governor). The High Court has both original and appellate jurisdication. Its appellate juridication extends to both civil and criminal cases. Article 103 of the Constitution empowers the Court to issue prerogative writs and orders such as hebeas corpus, mandamus, prohibition, quo warrants and the like. The High Court also has the power of superintendence and control over all courts subordinate to it. Article 105 of the constitution empowers the High Court to transfer any case to itself, if

70. Ibid Sections 36 (1) part V.
71. Ibid Sections 46 (6).
72. Ibid art. 47-50 part VI.
73. Ibid art 47-50 part VI.

the court is satisfied that the case pending in any subordinate court involves a substantial point of law as to the interpretation of the Constitution. The court is empowered to dispose off the whole case itself, or determine the question of law and then return it to the subordinate court with a copy of its decision for disposal.

Chapter IV of the Constitution embodies the Directive Principles of the State Policy. These directives lay down that the prime objective of the State policies should be the promotion of the welfare of the people, and the establishment of a social order 'wherein all exploitation of man shall be abolished and wherein justice social economic and political shall inform all the institutions of national life. Accordingly the State is to strive to ensure for all citizens right to work basic minimum wage, better working conditions and relief from economic distress for all women, equal pay for equal work, equal opportunity in all social, educational and political matters, maternity benefits and special protection against discourtesy, defamation, hooliganism and other forms of misconduct. For all children free and compulsory education, medical card and emancipation from abuse, and for all old and infirm persons old age pension, social insurance and social assistance.

The Constitution also provides for a Public Service Commission for the State[74]. The members of the Commission are appointed by the Sadra-i-Riyasat for a term of five years. The Commission is charged with the function of conducting examinations for appointment to the services of the State, giving advice on all matters, relating to recruitment to civil services, standards and principles to be followed in making appointments and promotions and transfers from one service to another, suitability of candidates for such appointments, promotions, transfers and disciplinary matters affecting civil services.

Since 1957 upto present times the constitution has undergone ten amendments from time to time. One of the 10 amendments, the sixth amendment Act of 1965 introduced a change in the executive of the State. The office of Sadar-i-Riyasat was changed into the office of the Governor and the Prime Minister was changed in the Chief Minister. The existing Sadar-i-Riyasat was to hold office as Governor untill the remaining period of his term for which he was elected as Sadar-i-Riyasat expired. After this the

74, Ibid part IV.

Governor shall be appointed by the President by warrent under the hand and seal[75] instead of getting appointed by the State Assembly by majority vote as was procedure in case of Sadar-i-Riyasat. The qualification for appointment as Governor in Jammu and Kashmir State were to be the same as required for appointment as Governor in any other State of Indian Union. His functions and powers were similar to that of the other Governors. He could be dismissed or transferred by President of India.

In case of Chief Minister the change was introduced only in the name to bring it at par with other Indian States. The functions of Prime Minister in J&K were similar to that of Chief Minister of any other State. Thus the change in the name from Prime Minister to Chief Minister did not practically introduce any change in the Functions and Powers of Chief Minister of Kashmir. He continued to be the leader of Lower House and his office Cabinet. As regards other members of the Cabinet and Ministers of other ranks they continued to have the same functions and powers as they enjoyed before the 6th Amendment. This amendment did not effect the representation of different efoncim and social groups in the Cabinet and Legislature. Also, from time to time some other amendments were introduced in the constitution wherever necessary.

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75. The Constitution of Jammu and Kashmir 6th Amendment dated 10th April, 1965.

Protozoan Infections in J & K State

—*Dr. A. A Shaw*

THE epizootologic studies conducted revealed that certain protozoan disease viz Babesiosis, Theilariosis and Anaplasmosis were encountered in the Jersey cows and cross bred cattle of Govt. and some local Farms of the State.

In Kashmir Valley the outbreaks were generally encountered during the months of Summer June-August when the animals appear more susceptible compared to the seasons of Spring (March-May), and Autumn (Sept.-Nov.) while in winter (Dec.-Feb.) no such outbreaks have been detected.

In the plans of Jammu these out-breaks are detected during the months of April-July when the tick activity is maximum.

These Protozoan infections are important economic diseases of cattle of the State and have been found responsible for many losses, production as well as death losses. In an organized Farm one cow was dead out of five Jersey cows affected with Babesiosis. The over & all mortality rate among the affected cattle due to this infection in Kashmir was one cow per out break which included pure bred and cross bred cattle during the year 1968-69.

The ecological studies revealed that the incidence of the disease was related to the external (seasonal) tempertures favourable for propagation of tick- vectors.

Boophilus microplus is the species responsible for the transmission of the Babesiosis in Kashmir which has a temperate climate suitable for its activity likewise **B.declaratus** has also been recovered from diseased cows and are responsible for transmission of this infection. It has been our experience that activity of this tick varies with the temperatures. In the Spring season when the atmospheric temperatures in the Valley varied from 10-17°c the activity of these ticks is very low and these Spring ticks did not transmit the disease. However during the Summer when the tempertures generally are high 30-35°c tick is capable to transmit the infection.

Certain species of *Ixodes* and *Hyalomma* have been found responsible for the transmission of this dlsease in Kashmir Valley.

The average rainfall of 30-35 inches per annum in Kashmir is also contributory factor conducive of their activity. It has been observed that these ticks also occur at the altitudes as high as 7000ft., singly or in associations. In Kashmir the pasture lands at the altitude of 6,500 ft. above sea level are also infected with these ticks and their activity in summer months becomes pathogenic. When the cattle move to these high altitude pastures they get invariably infected with the disease.

The eggs are hatched by these ticks in Spring season after passing hibernation periods of winter season on the cracks of the "Gujar Kothas" mostly build of mud walled and thatched roofs.

Recently an outbreak of Babesiosis has been reported among pure bred Jersey Bulls when the bull died of this infection at Animal Husbandry Unit, Kangan at about 45 K. M. North west of Srinagar.

Other contributory factors in the studies of epizootology of Babesiosis have been found to be colonization of cattle, missing of the clinical cases by the veterinarians for some other disease or lack of veterinary expert dignosis at high altitudes where cattle move for grazing during summer each year.

The *Haemaphysalis* and *Hyalomona* ticks responsible for the transmission of the Thcileriosis in Kashmir are the ticks confined to high altitudes pastures, grass areas and forest zones, 5000-8000ft. above sea level. But it has been observed that all these ticks may not be necessarily capable of transmissing infection.

In the cattle sheds the ticks remain hidden in cracks and crevices of walls of mud and wood and thatched roofs. In this way cold season in winter is passed in the cattle by itself without generally parasitising the host. At the Spring season eggs are laid considerable in number which hatch out in summer engorged larvae or nymphae molt into adults and attack fresh hosts. Even in the various altitudinal zones between latitude of 32.17° and 36.58° North and longitude 73.26° and 80.30° East in the Valley of Kashmir *Haemophysalis* and *Hyolomma* specied have been found but are not necessarily acting as the vectors of the disease.

Ornithodorus Species is also suspected for the transmission of Theilerosis especially in Sheep and Goat in this Valley and even in the cold weather of winter these ticks have been found on the body of sheep and goats before they are shorne but further obser-

vations did not revealed them to be in the infective stages.

It has been observed that there is no endemic zone of Theileriosis in Kashmir. This may be accounted for by the scattered habitations as also the observed fact that local cattle are resistant to this disease.

Our observation on the out-break of this disease in a private Farm, Sonawara Srinagar has shown that the cross bred Jersey cows recently introduced in this Farm were involved in this infection while the local cows and their offsprings did not show any disease although they were housed in the nearby shed and all the animals were managed under semi-ranch system. The mortality rate in Farm was 33% among Jersey cross or bred animals for the year 1968-69.

Theilariosis has often been found in association with Anapasmosis. It is therefore not possible to calculate the exact impact of this disease on the livestock of Kashmir, in term of losses due to death morbidity decrease in milk and abortions as sequel of this infection. Assessment was made more diffcult by the fact that clinical cases of livestock not personally observed by disease investigation staff; were missed by other veterinarians when no Laboratory facilities were available. However many such cases were examined second hand after the other vaterinarians despatched the material for laboratory examination. This also revealed high incidence of sublinical cases among some cross bred progeny.

Haemophysalis Hyalomma and *Ornithodorush* have been found wide spread throught 134×40 K.M. of the Valley. The spread of theilariosis therefore poses a new problem in cattle disease in Kashmir, although at present only sporadic incidence has been reported.

The epizootlogic studies conducted on Anaplasmosis has established clinical cases of this protozoan infection in pure bread Jersey Cattle in this State. Attempts made to locate the vectors responsible for the transmission of this disease did not defnitely prove that either ticks or horse flies found in the neighbourhood of this area play any role in its spred. Further survey made showed that the disease was restricted to the Government organised Farm alone, and bloood samples screened from the animals revealed only five cases were positive out of such 180 animals including cross bred and their progeny.. In consideration of the fact that the disease was not found in local cattle, it was therefore realised that Anaplosmosis is not problem in Kashmir.

Anoplosmosis was detected in the above Farm after the introduction of imported Jersey cows. Observations made did not reveal any correlation between prevailing mosquito or fly population in the Farm where clinical cases of Anaplasmosis were found. Apparantly infection may have spread through instruments used for inocculations and vaccinations. The incidence of Anaplasomosis was observed only in the summer season (July) of the year 1968-69, while for winter, spring and Autumn seasons no such cases have been reported so for. The epizootologic studies on Bovine Trichomoniasis have revealed that the protozoan infection was not much prevelant in the Velley. Detailed examinations of the material from 438 animals revealed that only two animals had this infection. While most of the localities in the Valley were found free from this infection two cases were recorded from the cows with history of pyometra, repeat breeding and abortion in interior Sumbal-Hajan about 30 K.M. North-West of Srinagar. In this area natural breeding of cows is not uncommon, Both these cases were reported by the Artificial Insemination Officer Hajan, for ascertaning the cause of infertility and abortion.

Another important protozoan disease *trypanosomiasis* is absent from the Kashmir Valley but its distribution is fairly well in the plain and semi-hilly terrains. of Jummu provinnce. The epizootologic studies have revealed that this infection is frequent among equines and camels in the plain of Kathau and Jammu district. While the incidence is fairly low in the semi hilly regions between altitude of 2000 to 3000 feet.

Regarding the transmission studies of *trypnosomiasis* it has been your field experience that flies such as "Tabanids" and "Stomoxys" play a great role while mosquitoes may also act occasionally as mechanical carriers. Pathogenosis after attack of Trypnosomiasis in equines especially horses and mules revealed a typical course with high rise in temperature (104°F-106°F urticarial eruptions, conjuctival mucous membrane with haemorrhagic patches, respirating distress and severe cases die. While in camels there was interanittant fever, oedema of different parts, with disapperance of the hump in certain chronic cases.

To our knowledge trypnosomiosis in cattle "Surra" has not been reported so far from the even from the plains of Jammu Province. There appears to be very low incidence of this infection in Jammu plains. However our experience has revealed that these animals by and large remain carries without showing any clinical

sympotoms of this disease. Serdiagnostic tested in camels with mercuric chloride tests of Benett has been successfully used to detect cases of Sura in camels and it has been observed that the infection is fairly common in Kathua distric followed by in Jammu plains.

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Functioning of Committees in the Indian Parliamentary System of Government

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THE Committee System in India has more or less developed on the pattern of Committee system in Britain Parliament. Comittees are miniature Parliaments as they reflect the party composition the House, or Houses in case of Joint Committees. Formation of committees from amongst the members of the House or Houses is essential because bills and other legislative measures that come up before parliament have to be studied in depth and in calmer atmosphere. Parliamentary control over public expenditure is not limited to the voting of moneys, required for carrying the administration of the country but extends to ensuring that expenditure is incurred in a manner to achieve objectives underlying the plans and programmes meant for the economic betterment and social well-being of the people of the country.

In India Parliamentary Committees can broadly be divided into four categories. Standing Committees which include the Public Accounts Commititee, the Estimates Committee and the Public Undertakings Committee, the committees on privileges, petitions, private members bills, house committee and business advisory committee. The appointment of number of these committees is made through election or nomination by the Speaker in consultation with the leaders of various political parties in Parliament and the representation is not only judicious but democratic because the committees consists of members of all shades of opinion. In the Joint Committee of the two houses the strength of members is 30 from the Lok Sabha and 15 from Rajya Sabha.

There are also Consultative Committees which are of recent origin having been formed in the year 1968. These committees cover various ministeries and their functions in practice are consultative in nature. The purpose of having such committees is to afford members to discuss any matter informally without making any reference of such discussion on the floor of the House. These Committees are constituted of members of both the Lok Sabha

and Rajya Sabha with the minister incharge of the department/ departments as Chairman. Though the members of these committees have a right to elicit information from the Minister incharge who presides over committee meetings on various subjects of importance but the same cannot latter on be made subject matter for discussion in either house of Parliament. The Minister who is assisted in these meeting by the concerned secretaries, heads of department & senior executives gives replies to members even without notices. The matter discussed in this committee cannot also be referred to by any member of the committee in parliament in support of his arguments. The Select Committees on bill constitute a separate cate gory and their term expires after reporting on the bill. Parliament may also appoint a committee for specific purpose or to study a particular problem.

The committee for the welfare of schedule castes and tribes is to safeguard the interests and privileges of the people belonging to this category.

All these committees function in a harmonious manner and there is a basic unity of purpose. The consultative committees which are informal do not seem to serve much purpose and are so to say ineffective and powerless. These committees need be invested with more power and authority like Public Accounts Committees, Estimates Committee or Public Undertakings Committee. There has been expansion in the activities of the Government and with this the need for proper supervision over these wide ranging activities has become all the more necessary by the committee system of Parliament. This will check wastage inefficiency and poor performance. Automatic check and balance in the form of periodical scrutiny and investigation by specialised committees attached to the various Ministers require to be improved.

The Select Committee may invite opinion from the public and take evidence, seek expert opinion or invite person or persons having expect knowledge in the subjects which are under the consideration of these committees on the basis of evidence. The committee throughly discusses the bill in detail and clause by clause. Though it functions as an integrated group but on matters which are of critical political and economic importance involved in the bill, the party view point is projected when any official amendments to the bills are moved by the minister who is a member of the the Select Committee, voting may be resorted to. In case of amendments moved by the members these are withdrawn after discussion

otherwise these are voted upon and lost. The opposition members are free to express their opinion and record a note ol dissent when the bill is finally sent to the house where it orginated, it is accompanied by the minutes of the Select Committee report alongwith the amended bill. Despite the fact that three readings of the bill are necessary the Select Committee report is usually accepted by the House and the bill is passed without further discussion or amendment because representatives of various political parties already project their view point during the deliberations of the committee. Some people argue that the committee should associate one or more experts who are not members of parliament and who have special knowledge in their respective fields to help the committee in its deliberations.

The Public Accounts, Estimates and Public Undertakings Committees are investigative in nature. The Public Undertakings Commttee may conduct a macro study of some specific problems relating to the public undertakings as a whole such as financial managements production and materials managements and similar subjects. The committee in its preliminary meeting determines the undertakings to be examined and the subject to be studied. Questionaries are sent to various undertakings and at times to various public bodies like Chambers of Commerce and other associations for their views. The replies that are received are discussed and analysed, an oral evidence of both the officials of Public undertakings involoved & the senior officers of the Ministeries concerned is taken by the committee. As a representative body of parliament the Committee can enforce the attendance of the Chairman and Managing Directors of undertakings and also of the Secretaries of the Ministers concerned.

The Committee also visits the undertakings which are being examined and discussed with its officials the matters connected with such examination. The report of the committee includes a summary of the recommendations and the undertakings including the ministeries concerned have to inform the committee of the action taken on the recommendations and the extent these recommendations have been implemented.

Thus three committees which are also known as Finance Committees perform the most important functions and exercise a degree of checks upon various ministeries and are a constituent of system of checks and balances provided in the constitutional, administrative and legislative set up in the country. The Government departments not functioning efficiently and whose officials are responsible for the lapses, have a tough time during the cross exami-

nation by the members of these Committees. Any kind of false information given before the committees will contitute breach of privilege followed by serious consequences.

Parliamentary Committees are critised on the ground that because of their scrutiny and criticisim the officials avoid taking decisions for fear of making mistakes and later on for appearing before these committees. This argument is not substantial as the honest official has nothing to fear such committees. Mistakes do occur but if these mistakes occur in a bonafide manner there should be no cause of concern. The honest official can admit the mistake and explain the circumstances in which he had to take decisions.

The Parliamentary Committees act as a watch dog of democracy. The system can become sucessful only when the recommendations of these committees are taken seriously by the ministers concerned and implemented expeditiously so as to promote the larger good of the largest number of people of the country.

Then there are Adhoc Committees on the conduct of members. During the last twenty five years of the functioning of parliamentary democracy in India, there have been as many as three Adhoc Committees in the Lok Sabha to inquire into the conduct of members. The first such committee was constituted on June, 1951, to inquire into the conduct of a member (Sh. H. G. Mudgal) in connection with his dealings with the Bombay Bullion Association. The second one was constituted in 1963 to investigate into the conduct of five members of Lok Sabha at the time of Presidential Address. The third was constituted in 1971. It also was connected with the inquiry into the conduct of members at the time of Presidential Address. Adhoc Committees on the conduct of members were also set up in several state legislatures. On 14th March, 1958 the Punjab Vidhan Sabha adopted a motion that a committee be set up to examine in all its procedural aspects the conduct of certain members who on 10th Feb, 1958 created crowdy scene and made an effort to prevent the Governor from speaking and thereby committed an unconstitutional act because Governor Addresses the house in pursuance of the constitutional obligation confered on him under Article 176(1) of the constitution of India. An affront to the Governor is an affront to the Constitution because he has to discharge his duties under the Constitution.

In February, 1968 similar situtation was created in Orissa during the Governor's address to the House. A committee was appointed by the Speaker on the motion moved by the House that recommen-

ded that such gross disorderly conduct of the members concerned be dealt with by the House in such manner as the House might deem fit.

The committee appointed by the Speaker of the Lok Sabha on 15th April , 1971 have formulated certain guidelines for the conduct of members and maintenance of order, dignity and decorum on the occasion of the Presidential Address to the house(s) of Parliament.

The parliamentary system is sophisticated and expensive. Its work has been voluminous and complex. Much of its time is taken away by in-essential matters or with matters which could easily be dealt by a different forum. In order, that the requirements of both politics and administration are successfully met and duplication of work avoided, it is necessary that the work of the legislature is distributed between its open sessions and its committees.

The Present Committees perform functions of inquiry, scrutiny and control on behalf of Parliament and they do not function as legislature bodies. Therefore, the Committee system should be broad based. There should be number of standing Committees covering important aspects which will perform major portion of functions at present performed in the open sittings of the House. At present the existing Committees are not in a position to deal with policy matters particularly in respect of legislation because when a bill is referred to these Committees they cannot add to, or alter the scope of the bill. It is therefore necessary to remove such restrictions and vest them with all powers of the house. This will go a long way in avoiding duplication of work and will prove beneficial in the smooth functioning of Parliamentary System.

The main function of Parliament continues to be legislation. It controls and supervises the administration besides serving as a form for discussion of policies of national importance. The size of Parliament, the procedure for conduct of its business and the shortness of time, the Parliament cannot study every national problem in depth with the result that the bill referred to Ad-hoc Committee and cleared by it, is passed by Parliament, of course allowing the bill to pass through all its stages.

In order to deal with all types of legislation business, the members of both the houses can be divided into joint Committees. Some of these Committees may function under the control of Speaker while others may function under the Chairman of the Rajya Sabha.

The bill when introduced in either house of parliament, its general Principles be discussed in its first reading. Then the bill be returned to the Committee concerned for clause by clause discussion. At this stage all the amendments may be considered by the committee and notice of amendment can be given by any member who may or may not be member of the Committee. The Committee will after considering all proposed amendments submit the bill to the house whereafter the bill will be considered by both the houses on its third reading to be passed or rejected. Amendments to the bill should not be allowed at this stage except with the consent of Presiding Officer if considered absolutely essential.

The Government may in case of urgency with the permission of the Presiding Officer be permitted to bring the legislation for discussion in open session in all the stages. This procedure may not, however be followed in respect of money bills and constitution amendment bills and the existing procedure as outlined in the constitution may be continued.

The same procedure should be followed in respect of the passing of the budget and the demand for grants of each ministry. The procedure followed in open session for moving and voting of cut motions can be followed in the deliberations of the committee.

Parliament has to exercise control and surpervision over the autonomous bodies namely Public Service Commission, University Grants Commission, Election Commission, Finance Commission, Planning Commission, Commissioner for Scheduled Castes and Scheduled Tribes and Commissioner for lingusitic minorities. Instead of submitting their reports to Parliament these reports may be submitted to the Committees for scrutiny as Parliament has not sufficient time to study these reports in depth. These Committees which should be given powers like those enjoyed by the Public Accounts Committees, Estimates Committee or Public Undertakings Committee should submit these report to Parliament with their recommendations and later on with a report showing the action taken on these recommendations by the various ministeries. The size of these Committees which should include members of opposition groups in Parliament should not be too large. In the case of Joint Committees members of the two houses be included in these Committees according to the total strength of member in each house with a Chairman or Vice-Chairman from the respective houses. In order to avoid burdening the public exchequer these Committees can meet during the time Parliament is in session. These Committees should be constitu-

ted of members who have special knowledge in a particular subject. For instance lawyers can be members of Committee on legislation, economists and those having interest in financial matters in Financial Committees. This will in course of time create interest among members having special knowledge in a particular subject or subjects.

This kind of Committee system will attract the best talent from all shades of opinion including the opposition and most of the dilatory motions or adjurnment motions will be done away with thereby save the precious time of the Parliament.

During the three sessions in a year the Lok Sabha has 210 sittings. A great expenditure both visible and invisible is incurred besides puting a great pressure on the administration machinery which has to prepare answers to questions, briefs for the Ministers on matters of urgent public importance and for other Government business that come up for discussion in Parliament. This takes much of the valuable time of administration. The proposed committee system will go a long way in reducing the sittings of Parliament and enable it to devote its time to matters of great national importance. Besides this will result in efficiency as well as economy in expenditure and members of Parliament will get an opportunity to play a more meaningful role without any confrontation.

In view of the fact that the table of the Parliament is full and the policies and problems of national importance require urgent attention and study in depth, it is essential that for constituting the proposed Committees and for laying down the procedure for its working, constitutional and procedural changes should be brought about so that the speed of socio-economic progress is accelerated to achieve the goal of socialistic pattern of society within the shortest possible time.

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